

**CITY COUNCIL AGENDA**  
**AFTON CITY COUNCIL CHAMBERS**  
3033 St. Croix Trail South  
**TUESDAY, September 15, 2015**  
**7:00 P.M.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
  - \_\_\_\_\_ Mayor Bend
  - \_\_\_\_\_ Council Member Nelson
  - \_\_\_\_\_ Council Member Ross
  - \_\_\_\_\_ Council Member Richter
  - \_\_\_\_\_ Council Member Palmquist
4. **APPROVAL OF AGENDA**
  - A. Approval of the Agenda for the Regular City Council meeting of September 15, 2015.
5. **APPROVAL OF MINUTES**
  - A. Minutes of the August 14, 2015 City Council Work Session
  - B. Minutes of the August 18, 2015 Regular City Council meeting –
6. **PUBLIC INPUT**

Citizens may share their comments or concerns on any issue that is a responsibility or function of the Afton City Council, whether or not the issue is on the Agenda. Persons who wish to address the Council must fill out a Comment Card before the meeting begins and give it to the City Administrator or Council Chair. The Council Chair will request you to come to the podium, state your full name and address and present your comments. You are encouraged to limit your presentation to no more than 3 minutes. The Council Chair reserves the right to limit an individual's presentation if it becomes redundant, repetitive, overly argumentative, or if it is not relevant to an issue that is part of the City of Afton's responsibilities. The Council Chair may also limit the number of individual presentations to accommodate the scheduled agenda items.
7. **REPORTS/PRESENTATIONS**
  - A. Sheriff's Monthly Report -
  - B. Jim Bougie, Finance Committee Report
8. **CONSENT AGENDA**

All matters listed on the Consent Agenda are considered to be routine by City Council and will be enacted in one motion. If a member wishes to discuss an item, that item will be removed from the Consent Agenda and considered separately. (Roll Call for Consent Agenda approval if Resolutions included):

  - A. Just and Correct Claims
  - B. 4M Fund Transfer - JULY - **Resolution 2015-61**
  - C. Appointment of Auditor Michael Pofahl to conduct the 2015 Annual City Audit – **Resolution 2015-62**
  - D. Sewer Ordinance amending Section 12-83 and Sections 12-1901 through 12-2300 – **Ordinance 04-2015** and **Summary Ordinance 04-2015**

**9. CITY COUNCIL BUSINESS**

**A. Planning Commission Report –**

1. Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 – **Resolution 2015-63**
2. Grant Weissner and Peter Hill Application for Conditional Use Permit for Grading at 3750 Paradox End Avenue S. and the parcel to the east with PID 22.028.20.31.0005- **Resolution 2015-64**
3. Dan Dickinson Variance Application at 15876 Afton Boulevard S. – **Resolution 2015-65**
4. Lower St. Croix River Bluffland and Shoreland Management Ordinance and Floodway District Ordinance Amendment – **Ordinance 05-2015**

**B. Engineering Report**

1. Staff Report/Council Update
  - A. Bridge Inspections
  - B. Engineering Services Proposals
2. Wastewater Treatment System Project Timing Update
3. 201 System Upgrade

**C. Administration –**

1. Blondo Proposal for Consulting Services Regarding Section 106 Historic Building Impact Assessment Related to the Downtown Improvement Projects.
2. Appeal of the Council's Denial of the Bruce Paddock Variance Application for the property on 33rd Street with PID# 22.028.20.14.0064
3. Jon and Elizabeth Kroschel Request for Noise Ordinance Exemption for Event at 15106 50<sup>th</sup> Street
4. Historian Proposals
5. 2016 Preliminary Budget and Tax Levy – **Resolutions 2015-66 and 2015-67**
6. Policy Regarding Burning Permits in the Village Historic Site (VHS) District
7. Washington County Septic Ordinance Revisions –Land Spreading of Septage
8. Tree Removals on Putnam Boulevard
9. Schedule Council Work Session
10. Schedule Special Council Meeting for 3-City Facilitated Communication Process

**D. Committee Reports**

1. Public Works
2. Personnel
3. Parks
4. HPC/DR
5. Natural Resources and Groundwater

**10. COUNCIL, CONSULTANT AND STAFF REPORTS, ANNOUNCEMENTS AND UPDATES**

- A.** Ward 1 Council Member Palmquist
- B.** Ward 2 Council Member Richter
- C.** Ward 3 Council Member Ross
- D.** Ward 4 Council Member Nelson
- E.** Mayor Bend
- F.** City Attorney Knaak
- G.** City Administrator Moorse

**11. ADJOURN**

A quorum of the City Council or Other Commissions may be present to receive information at, but not limited to, any of the following meetings: Planning Commission; the Public Works Committee; Parks Committee; Design Review and Historic Preservation Commission; Lower St. Croix Cable Commission; LSCWMO; MSCWMO; I-94 Corridor Coalition and the 5-City Mayor's Alliance.

PROCEEDINGS OF THE AFTON CITY COUNCIL  
CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

DRAFT City Council Work Session Minutes  
August 14, 2015  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001  
3:00 p.m.

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11 1. THE MEETING WAS CALLED TO ORDER at 3:00 p.m. by Mayor Bend.

12 2. ROLL CALL: Nelson, Ross, Richter, Bend. Quorum present.

13 OTHERS PRESENT: City Engineers Diane Hankee and Todd Hubmer, City Accountant Tom  
14 Niedzwiecki, Bond Consultant Doug Green and City Administrator Ron Moore.

15 3. APPROVAL OF AGENDA -  
16 Motion/Second: Richter/Bend. To approve the August 14, 2015 City Council Work Session agenda as  
17 presented. Motion carried 4-0-0.

18 4. CITY COUNCIL BUSINESS -

19 a. Mid-Year Financial Review - Tom Niedzwiecki, City Accountant provided a review of the General  
20 Fund budget at mid-year, as well as a review of the status of other key funds. He indicated property tax  
21 collections are good, building inspection fees are over the budgeted amount, and utility franchise fees are  
22 coming in on budget.

23 A question was raised about the Workers' Compensation insurance expenditure amount. Tom indicated he  
24 would check the amount.

25 The Council requested that a method of tracking revenues and expenditures related to the downtown  
26 improvement projects be put in place, including tracking of reimbursements from grant funding.

27 The Council discussed the DEED revolving loan funds that are remaining from the Chandler Inc. loan, and  
28 indicated the funds could be used for a revolving loan to assist Sav A Tree in its building project on Hudson  
29 Road.

30 b. 2016 Proposed Annual Budget - Moore reviewed the Preliminary Budget Overview, which outlines  
31 the key items affecting the budget and tax levy.

32 The Council discussed the largest expenditure items and whether there were non-tax levy funding sources  
33 for the High Speed Internet Access expansion project. Tom Niedzwiecki suggested using the cable TV  
34 franchise fee revenue to fund a portion of the cost. The Council considered the suggestion but did not make  
35 a decision to use this revenue.

36 The Council discussed the 13.04% total levy increase resulting mainly from the High Speed Internet Access  
37 project, the debt service related to the downtown improvement project, and the increased street maintenance  
38 expenditures. The Council was concerned about the large percentage increase in the levy and discussed  
39 identifying non-levy funding sources. However, they were also looking ahead to the need to increase  
40 funding for street improvements, which would involve significant future levy increases if the 2016 levy was  
41 reduced.

42 c. Downtown Improvement projects - Todd Hubmer provided an update regarding the Section 106  
43 assessment of potential effects on historic buildings.

44 Diane Hankee reviewed information regarding the streetscaping for County Road 21.  
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55 d. City Administrator Performance Review  
56 **Motion/Second: Richter/Nelson. To table the City Administrator performance review. Motion**  
57 **carried 5-0-0.**  
58

59  
60 **ADJOURN –**

61  
62 **Motion/Second: Richter/Ross. To adjourn the meeting at 6:00 p.m. Motion carried 5-0-0.**  
63

64  
65 Respectfully submitted by:

66  
67  
68 \_\_\_\_\_  
69 Ron Moore, City Administrator

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72 **Approved by City Council on September 15, 2015 as: Presented: \_\_\_\_\_** or  
73 **Amended: \_\_\_\_\_**

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75  
76 **Signed by: Mayor Richard Bend \_\_\_\_\_ Date \_\_\_\_\_**

PROCEEDINGS OF THE AFTON CITY COUNCIL  
CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

DRAFT City Council Regular Meeting Minutes  
August 18, 2015  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001  
7:00 P.M.

- 11 1. THE REGULAR COUNCIL MEETING WAS CALLED TO ORDER at 7:00 P.M. by Mayor Bend.
- 12
- 13 2. ROLL CALL: Ross, Palmquist and Mayor Bend. Absent: Nelson, Richter. **Quorum Present.**

14  
15 **ALSO PRESENT:** City Attorney Fritz Knaak, Planning Commission Chair Barbara Ronningen, City  
16 Administrator Ron Moorse and Deputy Clerk Kim Swanson Linner.

17  
18  
19 3. APPROVAL OF AGENDA –

20 A. Item 7A, Sheriff’s Monthly Report was moved to Item 3B after the approval of the agenda; it was noted  
21 that the Engineer’s Report would be moved if the City Engineer’s schedule allows attendance at the meeting.

22 **Motion/Second: Palmquist/Ross. To approve the agenda of the August 18, 2015 Regular City Council**  
23 **Meeting as amended. Motion carried 3-0-0.**

24  
25 B. Sheriff’s Monthly Report – IRC Report on file; Deputy Sullivan reported that a number of incidents  
26 were related to water calls on the river; the City has authorized two more extra patrols for the summer that the  
27 deputies will be completing.

28  
29  
30 4. APPROVAL OF MINUTES -

31 A. Minutes of the July 16, 2015 Special City Council meeting –

32  
33 **Motion /Second: Palmquist/Bend. To approve the minutes of the July 16, 2015 Special City Council**  
34 **Meeting as presented. Motion carried 3-0-0.**

35  
36 B. Minutes of the July 21, 2015 Regular City Council meeting –

37  
38 **Motion/Second: Bend/Ross. To approve the minutes of the July 21, 2015 Regular City Council Meeting as**  
39 **presented. Motion carried 3-0-0.**

40  
41 5. PUBLIC INPUT – Doug Strom, 4420 Pately Bridge Avenue, spoke for himself and Melissa Strom and  
42 neighbors Lee and Ellen Johnson, 4433 Pately Bridge Avenue. He spoke about the poor condition of the road;  
43 pictures showed areas of total disintegration and the rest of the road with severe “alligator” cracks; he noted the  
44 pavement is 26 years old. The residents would like a skim coat for the disintegrated areas and a seal coat for the  
45 whole length of their road.

46  
47 6. REPORTS/PRESENTATIONS -

48 A. Sheriff’s Monthly Report – [Item was moved up to 3B.]

49 B. Valley Branch Watershed District (VBWD) – Kelles Creek Septic Inspection Program - Jill Lucas,  
50 VBWD Board Manager and Secretary (and Afton resident) and Jen Koehler, Barr Engineering were in  
51 attendance to present findings from the Kelle’s Creek water quality study which showed the majority of bacteria  
52 are coming from human waste; specifically non-compliant septic systems make up 60-84% of the bacteria load  
53 to Kelle’s Creek. A cooperative program between VBWD, Washington County, East Metro Water Resources

54 and the U of M Water Resources Center will be launched to target septic inspections and to connect residents  
55 with funds to replace failed septic systems in order to improve the water quality of Kelle's Creek and ultimately  
56 the water that flows to the St. Croix River. The VBWD Board is meeting next week; Jill Lucas will return to the  
57 September Council meeting to let the City know how it can assist in encouraging the Kelle's Creek watershed  
58 residents to participate in the FREE septic inspection program.

59 C. Jim Bougie, Finance Committee Report – the cash flow report showed \$175,000 surplus after the July  
60 tax revenue of \$909,000; he cautioned it may be due to including “fiscal disparity” received by the City as a tax  
61 revenue. Steps will be taken to separate the fiscal disparity payment to the City, so that it does not show up as  
62 revenue.

63  
64 **7. CONSENT AGENDA -**

65 A. Just and Correct Claims

66 B. 4M Fund Transfer - JULY - Resolution 2015-60

67  
68 **Motion/Second: Palmquist/Ross. To approve the Consent Agenda as presented, including Resolution**  
69 **2015-60. ROLL CALL: All Ayes. Motion carried 3-0-0.**

70  
71 **8. CITY COUNCIL BUSINESS -**

72 A. Planning Commission Report – Chair Barbara Ronningen reported for the Planning Commission.

73 1. Solar Energy Systems Ordinance - Ordinance 03-2015 – Administrator Moore reviewed that the  
74 Planning Commission had developed an ordinance for solar energy regulations based on a model solar energy  
75 ordinance provided by a consultant, with revisions to fit Afton's unique characteristics. The Planning  
76 Commission held a public hearing at their August 3 meeting, at which there were no public comments. Moore  
77 explained that the language recommended for the maximum size of a residential solar array is related to the  
78 visual impact of the array, which is related to the size and height of the array, the size of the lot, the setback of  
79 the array from roads or other properties and the amount of screening. The language includes all of these factors.  
80 The language differentiates between the VHS district with small lots, and the Rural Residential and Agriculture  
81 districts with 5 to 10 acre lots, 10 to 20 acre lots and lots 20 acres or greater. It was noted that larger solar  
82 installations in the form of community solar energy systems and solar farms are only allowed in the Industrial  
83 District.

84  
85 Council Discussion

86 Section 12-230. D.2(a) was pointed out, because it was discussed at the Planning Commission. It is an  
87 existing statement in the City Code which guarantees solar access that is being moved from that section to this  
88 solar ordinance section. Solar access is provided for in the Comprehensive Plan, therefore, it was decided to  
89 leave the statement in at this time. Tweaking the statement can be addressed at the time of updating the Comp  
90 Plan within the next two years.

91 Section 12-230. E.1(a) and (b) were clarified in that the installation would be “on a structure” not a ground-  
92 mounted array.

93 Section 12-230. F.1(a) and (b) for *VHS districts* were amended to:

- 94 a. For Ground-Mounted systems, the maximum solar panel square footage allowed is 150 square  
95 feet or 1% of the total square footage of the lot, whichever is less.  
96 b. Roof-Mounted systems solar panel square footage is not restricted, however, it may be limited  
97 by the size of the roof or the roof structure.

98 Other items were discussed for clarity purposes, but did not need amending.

99 Bend noted that these solar regulations have been developed to encourage Afton to be a “green” community  
100 and to support its rural environment; not to be commercial in nature.

- 101  
102 a. Summary Ordinance 03-2015 for publication -  
103

104 **Motion/Second: Bend/Palmquist. To adopt Ordinance 03-2015, the Solar Energy Systems regulations as**  
105 **amended and the Summary Ordinance for publication, as presented. ROLL CALL: All Ayes. Motion**  
106 **carried 3-0-0.**

107  
108 2. Sewer Regulations Draft Ordinance Amendment – Administrator Moose summarized the sewer  
109 regulations ordinance and stated that Breanne Rothstein, WSB Planner, was in attendance to answer any  
110 questions.

111  
112 Council Discussion

113 Council members asked about specific items for clarification by Ms. Rothstein: whether “shut off valves”  
114 for sewage were a “real thing” (not as such; however, if “illicit discharge” should it occur, it would be confined  
115 at the treatment facility); if individual flow meters for sewage can be installed (yes); can the city monitor flow  
116 rates, for instance if residents are emptying a pool (yes, with installation of a flow meter). Rothstein informed  
117 that ordinance prohibits illicit discharge, but it doesn’t “protect” against it.

118 Council asked how “out of the norm” this ordinance is from other communities.

119 Rothstein advised that the ordinance is very standard language and this revision was necessary in order to  
120 add the LSTS; however, all language was reviewed to ensure there was no outdated language.

121  
122 **Motion/Second: Bend/Ross. To direct staff to prepare the Draft Sewer Regulations as amended into final**  
123 **ordinance format and provide a Summary Ordinance for publication. Motion carried 3-0-0.**

124  
125 **B. Engineering Report**

126 1. Staff Report – Engineer Hankee was not in attendance; the staff report was on file.

127 a. Crack Fill, Seal Coat and Micro Surfacing Price Quotes – The City Engineer provided the  
128 following quotes for street repairs in the city for 2015. Crack filling improvements were identified by the Public  
129 Works Committee within the south part of the City. Quotes were solicited to provide seal coat improvements  
130 along 32<sup>nd</sup> Street and Pateley Bridge Avenue, as both roads have been determined to be beyond crack fill repair  
131 (This contract will utilize the remaining seal coat rock stock piled at the garage from 2014. A quote was  
132 submitted by Tri County to skim patch poor areas on 32<sup>nd</sup> Street and Pateley Bridge Avenue. Completion date  
133 for these projects is September 30, 2015.

134 Bend noted, from his phone conversation with Engineer Hankee, that the crack filling is appropriate for  
135 sealing streets in reasonable condition so they don’t get worse. Seal coating is for improving the totality of the  
136 road and skim patching addresses specific areas in need of more correction, it is a very thin layer of asphalt  
137 graded over very deteriorated areas. In the absence of the City Engineer, Council discussed the best solution for  
138 each type of street repair.

139  
140 **Motion/Second: Bend/Palmquist. To approve the Crack Fill improvements in the south end of the City**  
141 **per the map provided by accepting the quote from Gopher State Sealcoat Inc. for an amount of**  
142 **\$28,956.00 and to approve the Skim Patch repairs to the deteriorated areas of 32<sup>nd</sup> Street and Pately**  
143 **Bridge Avenue by accepting the quote from Tri County in an amount not to exceed \$18,000. Motion**  
144 **carried 3-0-0.**

145  
146 b. 15<sup>th</sup> Street Culvert Replacement – A culvert pipe on 15<sup>th</sup> Street has failed. The City received a  
147 quote from Tri County to replace the pipe. The pipe is 36 inches in diameter and 48 feet long. The quote to  
148 replace the steel pipe culvert with a concrete pipe would be \$12,000; to replace with a new steel pipe would be  
149 \$10,000.

150  
151 **Motion/Second: Palmquist/Ross. To approve the repair to a culvert failure on 15<sup>th</sup> Street S by accepting**  
152 **the quote from Tri County in an amount not to exceed \$10,000 to replace the 36” diameter by 48 foot long**  
153 **culvert with a corrugated steel pipe culvert. Motion carried 3-0-0.**

154

155 2. 3918 and 3904 River Road Wash-Out Update – Administrator Moose updated Council on the  
156 progress of meetings between property owners at 3918 and 3904 River Road, City staff, the City Engineer and  
157 the Valley Branch Watershed District (VBWD) regarding repairs for a substantial washout on a steep slope  
158 adjacent to River Road. He indicated there may be some funding available through the VBWD, however this  
159 would be the responsibility to those individual properties and the city will have no cost involved. No Council  
160 action was needed.

161  
162 C. Administration –

163 1. Don Barrett and Jesse Wilcox Request to Allow Existing Structures that are in Violation of the City  
164 Code to Remain on the Property at 14725 Afton Boulevard – At issue is a former property owner wanted to  
165 construct a pole building, they couldn't because the total size of accessory buildings would then be greater than  
166 allowed. So the former owners provided a handwritten letter indicating they would build a living space  
167 connecting the detached garage to the older house, making them both one principal structure. The pole building  
168 was built, however, the connection of the house to the garage was never built, causing the pole barn to be  
169 nonconforming. Sometime later, the former owner demolished the existing detached garage and replaced it with  
170 a second dwelling unit structure, which is not allowed. This was done without a building permit and without the  
171 knowledge or approval of the City. Mr. Barrett purchased the property with these nonconformities, and sold it  
172 to Mr. Wilcox with the same nonconformities; they are requesting that the City Council provide relief by  
173 allowing the buildings to remain as-is. Mr. Barrett is requesting clarification regarding whether the  
174 structure with the dwelling unit can be considered to be a part of the principal structure. Attached is a  
175 memo from the May 20, 2014 Council meeting regarding standards for determining when a structure is  
176 considered a part of the principal structure. Moose indicated that from staff's perspective, the lack of  
177 a roof with enclosed finished space beneath it connecting the two structures, and the distance between  
178 the two structures, makes them separate structures.

179 Mayor Bend asked how this issue had come before the Council. He indicated that the Council has  
180 no application for a request, therefore, the Council had nothing on which to make a determination. The property  
181 owner was informed that an application for a variance would be needed in order for the city to consider any  
182 request for allowing non-conformities. No Council action was required or taken. Staff was directed to draft an  
183 enforcement letter to be sent to the property owner.

184  
185 2. Mindpath Media Request to Use House on Wastewater Treatment Site as Setting for Movie  
186 Production – Administrator Moose informed that MindsPath Media, a low budget movie production company  
187 focused on the horror film genre, has requested the ability to use the vacant house on the wastewater treatment  
188 site for several scenes of a movie production during the Labor Day Weekend. He indicated the company has  
189 already used the entrance to the Lake St. Croix Beach City Hall for other scenes in the movie and that Lake St.  
190 Croix Beach collected a deposit to cover possible damages. The production company has indicated they will pay  
191 the cost of the City Attorney to draft an agreement that protects the city in the case of damage to City property  
192 and injury to the cast and crew, that limits be placed on the time of day the house can be used, that Washington  
193 County Deputies be notified and requested to monitor the site periodically, and that neighboring property  
194 owners also be notified. Because the company will be moving furniture, etc. into the house for the scenes, they  
195 would like to have a person stay in the house overnight for security.

196  
197 **Motion/Second: Palmquist/Ross. To authorize the City Attorney to draft up an agreement with**  
198 **MindsPath Media to allow the low budget movie production company to use the vacant house on the**  
199 **wastewater treatment site for several scenes of their movie production during the Labor Day Weekend,**  
200 **to cover site license and costs for any liability by or damage to City property and to direct the above**  
201 **notifications. Motion carried 3-0-0.**

202  
203 3. Tree Removal on City Cartway Property – Administrator Moose explained that Washington  
204 County, in years past, turned over an old cartway off of Afton Boulevard S to the City. There is currently a large  
205 cottonwood tree on the cartway property that is leaning toward the neighboring property owner's garage at

206 14933 Afton Boulevard. It is felt that if the tree was to fall, it would cause extensive damage to the garage. Staff  
207 solicited three price quotes for the tree removal. Two of the quotes have separate costs for dropping the tree and  
208 removing the tree. One price quote, from SavATree, has one price for taking down the tree to a 20 foot standing  
209 stub and removing all cut debris. The SavATree price quote is the lowest cost for both dropping the tree and  
210 removing the debris. Because the tree is very large, it is recommended the debris be removed. Staff is  
211 recommending the price quote from SavATree, in the amount of \$1,340, be accepted.

212

213 Council Discussion

214 Council discussed the legal aspects of the city doing any maintenance on a “private drive” which has public  
215 access. It was noted that the City has, in the past, trimmed dead or leaning trees located on city property when  
216 they threaten a neighboring property owner’s structures.

217

218 **Motion/Second: Bend/Palmquist. To approve the quote from SavATree in the amount not to exceed**  
219 **\$1,340 for cutting and removing the large cottonwood tree on the city cartway, off of Afton Boulevard S,**  
220 **that threatens to fall on a neighboring property owner’s garage. Both accepted a friendly amendment to**  
221 **authorize the City to negotiate a reduced price with SavATree to drop, but not remove, the tree. Motion**  
222 **carried 3-0-0.**

223

224 **Staff was directed to move forward with the process of shutting down the cartway to the original house at**  
225 **the south end of the cartway, as it has level access to the Valliswood development street, Paradox End**  
226 **Avenue, which would give the property a more appropriate address according to Washington County.**

227

228 4. Jim Cox Proposal for Design of Deputies Facility Adjacent to City Hall – Administrator Moose  
229 explained, as part of the process of planning a city garage for Public Works storage adjacent to City Hall,  
230 discussions have been to include a facility for the Sheriff’s Deputies. The Design Review/Heritage Preservation  
231 Commission has discussed a design concept for the facility. Based on that discussion, Jim Cox, a member of the  
232 City’s Design Review/Heritage Preservation Commission and an architect, volunteered to prepare a concept  
233 plan for the facility. The next step in the process would be to prepare a design that is detailed enough to be used  
234 for bidding. The proposal from Jim Cox to design and assist with the bidding and construction of the facility is  
235 \$2,500 plus expenses (mileage, printing).

236

237 **Council directed staff to contact the County Sheriff’s Office to procure an agreement and a commitment**  
238 **for funds for the City of Afton to incorporate space for the Sheriff’s Deputies in a new city public works**  
239 **garage adjacent to City Hall.**

240

241 5. St. Croix Trail Roadway Improvements in Afton- Streetscape - Resolution 2015-52 –  
242 Administrator Moose summarized that at the July 21, 2015 regular meeting, the Council adopted a resolution  
243 regarding the CR 21 Streetscape/Aesthetics priorities and costs. Due to the extended discussion of numerous  
244 options, there was a discrepancy between the intent of the motion-maker and the actual content of the discussion  
245 regarding the details of the resolution. The key element needing clarification was whether the proposed  
246 resolution included the landscaping in the medians. Based on the recording of the meeting, the discussion did  
247 not include specific language regarding the inclusion of the median landscaping. The resolution offered by  
248 Council Member Palmquist included the landscaped medians as a top priority of the Design Review Committee.  
249 The City Attorney advised that if there was a consensus among the Council members regarding their  
250 understanding of the motion vs the language of the resolution, the language of the resolution could be finalized  
251 to reflect the Council consensus. Because there was not a consensus among the Council members regarding the  
252 inclusion of the median landscaping, the resolution is being brought to the Council for clarification.

253

Several attempts at motions were made, but they failed for lack of a second.

254

255 There was further discussion as to the priority of the median plantings and the need to have them included  
in the initial construction project.

256

257 Bend felt the plantings and mulch are an extravagance and do not give health, safety or welfare to residents,  
they will require long-term care by the city, and they could probably be added less expensively as a separate bid

258 once the project total is known, and the Council has a chance to access the rest of the streetscape aesthetics in  
259 the 2016 budget discussion.

260 Palmquist noted that the Design Review Committee had recommended the medians for their traffic calming  
261 effect and felt if the plantings were not part of the initial construction project, it wasn't guaranteed they would  
262 be included in a future city budget; he did not want to risk the medians being concrete if the plantings were not  
263 included in the overall County Road 21 construction project.

264  
265 **Motion/Second: Palmquist/Ross. To approve Resolution 2015-52 (Palmquist version), as amended, for the**  
266 **approval of streetscape aesthetic elements for County Road 21 improvements in Downtown Afton for**  
267 **which the County and the City will cost share 50/50 up to 3% of the construction project budget, which is**  
268 **estimated to allow approximately \$300,000. Should the city request more aesthetic elements than the**  
269 **\$150,000 match, the city must pick up the additional costs.**

270  
271 Clarified as being included in the motion for streetscape aesthetics were:

272	Sidewalks, large banded pattern	\$11,000	
273	Median, plantings	\$19,950	
274	Median, rock mulch	\$ 8,800	
275	Lighting, 26 lights	\$254,800	[a reduction of 4 lights, from \$294,000]
276	Bumpouts, with regular concrete	\$20,250	[a reduction of approx \$5.00/s.f., from \$27,000]
277	Trees, total reduced by 20%	\$56,200	[a reduction from \$70,250]
278	<u>Pedestrian crosswalks</u>	<u>\$9,900</u>	
279	<b>Total</b>	<b>\$380,900</b>	

280  
281 **ROLL CALL: Ayes-Ross, Palmquist; Nay-Bend. Motion carried 2-1-0.**

282	For clarity, the following were NOT included:	Wayfinding	\$11,000
283		Boulevards	\$12,000
284		Tree grates	\$8,800
285		Pedestrian Site Amenities	\$24,000
286			\$55,800

287  
288  
289 6. Proposal for Annual Audit – Michael Pofahl – Administrator Moose indicated Michael Pofahl has  
290 prepared the city's annual audit report for a number of years. He submitted a proposal to conduct the annual  
291 audit for the 2015 fiscal year at a cost of \$5,350, a 3.9% increase over the \$5,150 cost for the 2014 audit.

292  
293 **Motion/Second: Palmquist/Bend. To accept the proposal from Michael Pofahl to conduct the 2015 Afton**  
294 **annual audit at a cost not to exceed \$5,350. Motion carried 3-0-0.**

295  
296 7. Schedule Special Council meeting for 3-City Facilitated Communication Process – Administrator  
297 Moose explained that Wayne Sandberg, of Washington County, is working to schedule a time for the  
298 City Councils of Afton, Lake St. Croix Beach and St. Mary's Point to meet for a facilitated  
299 communication process. The date selected, September 9, does not work for several council members from  
300 each city.

301  
302 **Staff was directed to contact Washington County to get another date, perhaps in late September or**  
303 **October, as there are no pressing issues.**

304  
305 **D. Committee Reports -**

- 306 1. Public Works – none in attendance.
- 307 2. Personnel – Meg K presented software ideas for Task Management and Document Storage.
- 308 3. Parks – reviewing details for a Park restroom; they hope to go out for a grant.

- 309 4. HPC/DR – the city received two proposals for Historians  
310 5. High Speed Internet – Afton’s letter of commitment is almost ready to send to CenturyLink;  
311 indications are that the internet service costs will be much less than was estimated.  
312 6. Natural Resources and Groundwater – tomorrow’s meeting is at Belwin; looking for mutual  
313 cooperation for protection of natural resources.  
314

315 **10. COUNCIL, CONSULTANT AND STAFF REPORTS, ANNOUNCEMENTS AND UPDATES**

- 316 A. Ward 1 Council Member Palmquist – none.  
317 B. Ward 2 Council Member Richter – absent.  
318 C. Ward 3 Council Member Ross – none.  
319 D. Ward 4 Council Member Nelson – absent.  
320 E. Mayor Bend – attended the East Metro Strong workshop with many area mayors in attendance; they  
321 did a land use planning exercise meant to incorporate current underlying planning trends of low carbon footprint  
322 and low cost to residents; his takeaway was how to satisfy what Afton residents want given that Afton doesn’t  
323 necessarily want to adhere to planning “values” such as: increase density, increase connectivity to resources in  
324 close proximity to residents.  
325 F. City Attorney Knaak – Report on file; the condemnation is going forward with no issues of concern.  
326 G. City Administrator Moose – none.  
327

328 **11. ADJOURN –**

329 **Motion/Second: Palmquist/Ross. To adjourn the meeting at 10:07 p.m. Motion carried 3-0-0.**

330 Respectfully submitted by:  
331  
332

333  
334 \_\_\_\_\_  
335 Kim Swanson Linner, Deputy Clerk

336  
337 **Approved by Council (on September 15, 2015) as (check one): Presented: \_\_\_\_\_ Amended: \_\_\_\_\_**

338  
339  
340 **Signed by Mayor Richard Bend \_\_\_\_\_ Date \_\_\_\_\_**

*City of Afton*  
*Claims to be Approved*  
*August 19, 2015 thru September 15, 2015*

Checks Numbered		Description	To Be Approved
From	To		
20391		Check(s) from Administrator stock: Newsletter Postage	\$189.21
20455	20461	8/31/15 Staff Payroll	\$6,103.29
20462	20491	Routine Vendor Bills, Expense Reimbursements & Council Payroll	\$3,983.19
20492	20507	Significant Vendor & Other Bills	\$109,039.89
EFT Payment		Downtown Imp Project: Pymt to Court Administration re. Appraised value of five easements acquired	\$384,100.00
EFT Payments		PERA, MN Withholding, Federal Withholding/Payroll Taxes	\$5,635.22
			<b>\$509,050.80</b>

Claims to be approved at 9/15/15 meeting



**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt -C...	08/27/2015	20391	Postmaster		100 - 4M Fund/US Bank - General F...	(189.21)
Bill	08/27/2015	Aug2015	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth. Exp:5560 Newsletter	Sept 2015 Newsletter	5560 - Newsletter Expenses	189.21
TOTAL						(393.34)
Paycheck	08/31/2015	20455	Johnson, Kenneth L		100 - 4M Fund/US Bank - General F...	530.40
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		5020 - Maintenance Person	(34.48)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		2302 - PERA Payable - Staff	39.78
					5053 - PERA Contribution - Employer	(39.78)
					2302 - PERA Payable - Staff	(41.00)
					2210 - Federal Withholding	32.89
					5051 - Social Security Tax - Employer	(32.89)
					2205 - Soc Sec Payable - Employer	(32.89)
					2204 - Social Security W/H - Employee	7.69
					5052 - Medicare Tax - Employer	(7.69)
					2213 - Medicare Payable - Employer	(21.00)
					2212 - Medicare W/H - Employee	
					2208 - MN State Withholding	393.34
TOTAL						(225.10)
Paycheck	08/31/2015	20456	O'Leary, Todd W		100 - 4M Fund/US Bank - General F...	243.75
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		5020 - Maintenance Person	15.12
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		5051 - Social Security Tax - Employer	(15.12)
					2205 - Soc Sec Payable - Employer	(15.12)
					2204 - Social Security W/H - Employee	3.53
					5052 - Medicare Tax - Employer	(3.53)
					2213 - Medicare Payable - Employer	(3.53)
					2212 - Medicare W/H - Employee	225.10
TOTAL						(170.80)
Paycheck	08/31/2015	20457	Neitzel, Donald R		100 - 4M Fund/US Bank - General F...	184.96
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		5020 - Maintenance Person	11.47
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Ma...		5051 - Social Security Tax - Employer	(11.47)
					2205 - Soc Sec Payable - Employer	(11.47)
					2204 - Social Security W/H - Employee	2.69
					5052 - Medicare Tax - Employer	(2.69)
					2213 - Medicare Payable - Employer	(2.69)
					2212 - Medicare W/H - Employee	170.93
TOTAL						

**City of Afton**  
**Claims to be Approved**  
 August 19 through September 15, 2015

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Paycheck	08/31/2015	20458	Joyce, Patrick C		100 · 4M Fund/US Bank - General F...	(539.65)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		5007 · Intern/Office Assistant Wages	678.68
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2302 · PERA Payable - Staff	(44.11)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		5053 · PERA Contribution - Employer	50.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2302 · PERA Payable - Staff	(28.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2210 · Federal Withholding	42.08
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		5051 · Social Security Tax - Employer	(42.08)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2205 · Soc Sec Payable - Employer	(42.08)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2204 · Social Security W/H - Employee	9.84
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		5052 · Medicare Tax - Employer	(9.84)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2213 · Medicare Payable - Employer	(9.84)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2212 · Medicare W/H - Employee	(15.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5007 Intern/Of...		2208 · MN State Withholding	339.65
TOTAL					100 · 4M Fund/US Bank - General F...	(1,352.55)
Paycheck	08/31/2015	20459	Swanson Linner, Kimberly J		5008 · Office Manager Wages	1,756.02
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2302 · PERA Payable - Staff	(114.14)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		5053 · PERA Contribution - Employer	131.70
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2302 · PERA Payable - Staff	(131.70)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		5018 · Insurance Benefits	26.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2325 · Madison Life ST & LT Disability	(26.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2210 · Federal Withholding	(104.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		5051 · Social Security Tax - Employer	108.87
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2205 · Soc Sec Payable - Employer	(108.87)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2204 · Social Security W/H - Employee	(108.87)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		5052 · Medicare Tax - Employer	25.46
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2213 · Medicare Payable - Employer	(25.46)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2212 · Medicare W/H - Employee	(25.46)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5006 Deputy ...		2208 · MN State Withholding	(51.00)
TOTAL					100 · 4M Fund/US Bank - General F...	1,352.55
Paycheck	08/31/2015	20460	Moorse, Ronald J		5004 · Administrator Salary	3,672.92
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		5053 · PERA Contribution - Employer	275.47
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2302 · PERA Payable - Staff	(275.47)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2302 · PERA Payable - Staff	(238.74)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		5037 · Flexible Benefits	1,100.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		5018 · Insurance Benefits	26.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2325 · Madison Life ST & LT Disability	(26.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2325 · Madison Life ST & LT Disability	(100.98)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2210 · Federal Withholding	(568.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		5051 · Social Security Tax - Employer	295.92
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2205 · Soc Sec Payable - Employer	(295.92)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2204 · Social Security W/H - Employee	(295.92)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		5052 · Medicare Tax - Employer	69.21
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administ...		2213 · Medicare Payable - Employer	(69.21)
TOTAL					100 · 4M Fund/US Bank - General F...	(3,267.97)

**City of Afton**  
**Claims to be Approved**  
 August 19 through September 15, 2015

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Liability C...	08/31/2015	20461	Madison National Life	1038150000000000 1038150000000000 1038150000000000	2212 · Medicare W/H - Employee 2208 · MN State Withholding	(69.21) (233.00) 3,267.07
TOTAL					100 · 4M Fund/US Bank - General F...	(154.78)
Liability C...	08/31/2015	20461	Madison National Life		2325 · Madison Life ST & LT Disability 2325 · Madison Life ST & LT Disability	100.98 53.80
TOTAL					100 · 4M Fund/US Bank - General F...	154.78
Check	08/31/2015	20462	Afton Hills Neighborhood Afton Hills Neighborhood	Refund Park Deposit 8/9/15 Afton Hills Neighbors Refund Park Deposit 8/9/15 Afton Hills Neighbors	100 · 4M Fund/US Bank - General F... 2001 · Permit Escrow & Fees	(100.00) 100.00 100.00
TOTAL					100 · 4M Fund/US Bank - General F...	(174.11)
Bill Pmt -C...	08/31/2015	20463	Centerpoint Energy (8000015314-0)	Acct No. 8000015314-0	6010 · Gas Heat	19.00
Bill	08/31/2015	Aug2015	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6010 Gas Heat 100 Gen'l Fd:B. Exp:B03 Strs, Rehab & Pub Wks:B3.1 Streets:5855 Ga... 100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6010 Gas Heat 100 Gen'l Fd:B. Exp:B03 Strs, Rehab & Pub Wks:B3.1 Streets:5855 Ga...	6010 5280051 3175 St. Croix Trl S Meter #M19810528546 5855 5297140 3033 St. Croix Trl S Meter #M19981171295 6010 5279993 3033 St. Croix Trl S Meter #M19981172549 5855 5297143 3033 St. Croix Trl S Meter #M19981171296	5855 · Gas Lamps - Operating Costs 6010 · Gas Heat 5855 · Gas Lamps - Operating Costs	19.00 73.60 62.51
TOTAL					100 · 4M Fund/US Bank - General F...	174.11
Bill Pmt -C...	08/31/2015	20464	Collins Flags	Customer # F3018399	100 · 4M Fund/US Bank - General F...	(90.95)
Bill	08/31/2015	IO1061394	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense	flags	6030 · Misc Exp - Bldg & Land	90.95
TOTAL					100 · 4M Fund/US Bank - General F...	(90.95)
Bill Pmt -C...	08/31/2015	20465	Comcast (8772 10 572 0001508)	Account # 8772 10 572 0001508	100 · 4M Fund/US Bank - General F...	(197.55)
Bill	08/31/2015	Aug2015	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Sof... 100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5565 Telephone	High Speed Internet Digital Voice	5510 · Computer Service/Software 5565 · Telephone	34.90 162.65 197.55
TOTAL					100 · 4M Fund/US Bank - General F...	(89.78)
Bill Pmt -C...	08/31/2015	20466	Engineering Unlimited Inc.	"no copy" keys	100 · 4M Fund/US Bank - General F...	(89.78)
Bill	08/31/2015	49912	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense		6030 · Misc Exp - Bldg & Land	89.78
TOTAL						

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt -C...	08/31/2015	20467	Innovative Office Solutions LLC		100 - 4M Fund/US Bank - General F...	(157.56)
Bill	08/31/2015	IN0871972	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies	Office Supplies	5540 - Office Supplies	120.57
Bill	08/31/2015	IN0870492	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies	Office Supplies	5540 - Office Supplies	36.99
TOTAL						157.56
Bill Pmt -C...	08/31/2015	20468	LMC (conferences)		100 - 4M Fund/US Bank - General F...	(90.00)
Bill	08/31/2015	220353	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	new member training, PC (Lucia Wroblewski, James Langan, Sc...	5585 - Seminars & Education	90.00
TOTAL						90.00
Bill Pmt -C...	08/31/2015	20469	Lucia Wroblewski		100 - 4M Fund/US Bank - General F...	(20.00)
Bill	08/31/2015	AugWorkshop	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	Registration fee for St Croix Workshop-on-the-water held Au...	5585 - Seminars & Education	20.00
TOTAL						20.00
Bill Pmt -C...	08/31/2015	20470	Menards - Hudson		100 - 4M Fund/US Bank - General F...	(155.13)
Bill	08/31/2015	94985	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6040 Repairs & Maintenance	gold mulch	6040 - City Property Maintenance	8.61
			100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.3 Oth Pub Wks:5...	Stanley earmuff	5930 - Tools & Minor Equipment	27.98
			100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6035 Routine Cleaning	Lyso, Pine-sol, Iron Hold bags	6035 - Routine Cleaning	21.60
			100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6040 Repairs & Maintenance	light for City Hall	6040 - City Property Maintenance	29.98
			100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6040 Repairs & Maintenance	City seed	6040 - City Property Maintenance	6.98
			100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6040 Repairs & Maintenance	reimburse property owner for shoulder	5825 - Crackseal/Seal Coat/Shouldering	59.98
TOTAL						155.13
Bill Pmt -C...	08/31/2015	20471	Nelson, Mark		100 - 4M Fund/US Bank - General F...	(20.00)
Bill	08/31/2015	AugWorkshop	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	Registration fee for St Croix Workshop-on-the-water held Au...	5585 - Seminars & Education	20.00
TOTAL						20.00
Bill Pmt -C...	08/31/2015	20472	Palmquist, Bill		100 - 4M Fund/US Bank - General F...	(20.00)
Bill	08/31/2015	Aug6,2015...	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	reimburse expenses	5585 - Seminars & Education	20.00
TOTAL						20.00
Bill Pmt -C...	08/31/2015	20473	Pitney Bowes (8000-9090-0626-5198)		100 - 4M Fund/US Bank - General F...	(200.00)
Bill	08/31/2015	Aug/2015	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5550 Postage	Postage by phone number 30976419. Postage meter P700, Serial ...	5550 - Postage	200.00
TOTAL						200.00

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt-C...	08/31/2015	20474	Randy Nelson	Registration fee for St Croix Workshop-on-the-water held Au...	100 · 4M Fund/US Bank - General F...	(20.00)
Bill	08/31/2015	AugWorkshop	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	Registration fee for St Croix Workshop-on-the-water held Aug 6,...	5585 · Seminars & Education	20.00
TOTAL						20.00
Bill Pmt-C...	08/31/2015	20475	Richard Bend	Registration fee for St Croix Workshop-on-the-water held Au...	100 · 4M Fund/US Bank - General F...	(20.00)
Bill	08/31/2015	AugWorkshop	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5585 Seminars & Educat...	Registration fee for St Croix Workshop-on-the-water held Aug 6,...	5585 · Seminars & Education	20.00
TOTAL						20.00
Bill Pmt-C...	08/31/2015	20476	River Valley Printing	Cust No. 1483	100 · 4M Fund/US Bank - General F...	(290.00)
Bill	08/31/2015	5019	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5560 Newsletter	1250 4pg newsletters	5560 · Newsletter Expenses	290.00
TOTAL						290.00
Bill Pmt-C...	08/31/2015	20477	Rumpca Excavating Inc	3/4 C/5 4 loads	100 · 4M Fund/US Bank - General F...	(279.99)
Bill	08/31/2015	11373	100 Gen'l Fd:B. Exp:B03 Strs, Rehab & Pub Wks:B3.1 Streets:5825 Cr...		5825 · Crackseal/Seal Coat/Shouldering	279.99
TOTAL						279.99
Bill Pmt-C...	08/31/2015	20478	Xcel Energy (51-5371356-9)	15891 34th St. S: Automatic Protective Lighting Service	100 · 4M Fund/US Bank - General F...	(15.03)
Bill	08/31/2015	467334125	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6020 Electricity - Xcel Energy	15891 34th St. S: Automatic Protective Lighting Service	6020 · Electricity	15.03
TOTAL						15.03
Bill Pmt-C...	08/31/2015	20479	Xcel Energy (51-6852605-2)	Acct #51-6852605-2 Install No. 184509 & 184508	100 · 4M Fund/US Bank - General F...	(41.32)
Bill	08/31/2015	467365303	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6020 Electricity - Xcel Energy	Automatic Protective Light Service Install No. 184509 & 184508	6020 · Electricity	41.32
TOTAL						41.32
Paycheck	09/15/2015	20480	Bend, Richard H		100 · 4M Fund/US Bank - General F...	(280.65)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5002 · Mayor & Council Wages	300.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(15.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5053 · PERA Contribution - Employer	15.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(15.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5052 · Medicare Tax - Employer	4.35
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2213 · Medicare Payable - Employer	(4.35)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2212 · Medicare W/H - Employee	(4.35)
TOTAL						280.65

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Paycheck	09/15/2015	20481	Nelson, Randall P		100 · 4M Fund/US Bank - General F...	(187.10)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5053 · PERA Contribution - Employer	10.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5052 · Medicare Tax - Employer	2.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2213 · Medicare Payable - Employer	(2.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2212 · Medicare W/H - Employee	(2.90)
TOTAL						187.10
Paycheck	09/15/2015	20482	Palmquist, William B		100 · 4M Fund/US Bank - General F...	(187.10)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5053 · PERA Contribution - Employer	10.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5052 · Medicare Tax - Employer	2.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2213 · Medicare Payable - Employer	(2.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2212 · Medicare W/H - Employee	(2.90)
TOTAL						187.10
Paycheck	09/15/2015	20483	Richter, Joseph J		100 · 4M Fund/US Bank - General F...	(187.10)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5053 · PERA Contribution - Employer	10.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5052 · Medicare Tax - Employer	2.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2213 · Medicare Payable - Employer	(2.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2212 · Medicare W/H - Employee	(2.90)
TOTAL						187.10
Paycheck	09/15/2015	20484	Ross, Stanley A		100 · 4M Fund/US Bank - General F...	(187.10)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5053 · PERA Contribution - Employer	10.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		5052 · Medicare Tax - Employer	2.90
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2213 · Medicare Payable - Employer	(2.90)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor &...		2212 · Medicare W/H - Employee	(2.90)
TOTAL						187.10

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt-C...	09/10/2015	20485	Lowertown Printing Co		100 - 4M Fund/US Bank - General F...	(332.77)
Bill	08/31/2015	9768	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5535 Misc Expense	Shirts and jackets for City staff	5535 - Miscellaneous Expense	332.77
TOTAL						332.77
Bill Pmt-C...	09/10/2015	20486	Centerpoint Energy (6217601-1)	Meter # MI19702480474 Account No. 6217601-1	100 - 4M Fund/US Bank - General F...	(29.36)
Bill	08/30/2015	Aug2015	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6045 City Garage Expense	1675 Stagecoach Trl S: City Garage	6045 - City Garage Expense	29.36
TOTAL						29.36
Bill Pmt-C...	09/10/2015	20487	Croix Crystal Water Treatment	cooler lease and water	100 - 4M Fund/US Bank - General F...	(27.00)
Bill	08/30/2015	46577	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense	rent on hot & cold cooler, bottled water	6030 - Misc Exp - Bldg & Land	27.00
TOTAL						27.00
Bill Pmt-C...	09/10/2015	20488	General Repair Service		100 - 4M Fund/US Bank - General F...	(223.75)
Bill	08/30/2015	57781	400 201 Project Fund:B. Exp:5915 201 Project Maintenance	201 System 2015 Pump Repair	5915 - 201 Project Maintenance	223.75
TOTAL						223.75
Bill Pmt-C...	09/10/2015	20489	Kathi Pelbar	Humane Animal Control Service	100 - 4M Fund/US Bank - General F...	(300.00)
Bill	08/30/2015	Aug2015	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.1 Public Safety:560...	animal control	5605 - Animal Control	300.00
TOTAL						300.00
Bill Pmt-C...	09/10/2015	20490	Menards - Hudson	Account No. 308990280	100 - 4M Fund/US Bank - General F...	(29.84)
Bill	08/30/2015	96495	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense	Sweeneys Spoike for moles at City Hall	6030 - Misc Exp - Bldg & Land	29.84
TOTAL						29.84
Bill Pmt-C...	09/10/2015	20491	Minnesota Mayors Association		100 - 4M Fund/US Bank - General F...	(30.00)
Bill	08/30/2015	Dues	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5580 Membership & Dues	Fiscal year beginning Sept 1 2015	5580 - Membership & Dues	30.00
TOTAL						30.00
Bill Pmt-C...	09/10/2015	20492	LMC (Dues)		100 - 4M Fund/US Bank - General F...	(3,128.00)
Bill	08/30/2015	221351	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5580 Membership & Dues	Annual membership dues, City of Afton, year beginning Septemb...	5580 - Membership & Dues	3,128.00
TOTAL						3,128.00

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt -C...	09/10/2015	20493	Niedzwiecki, Thomas H.	Accounting Services	100 - 4M Fund/US Bank - General F...	(1,139.00)
Bill	08/30/2015	AcctAug2015	100 Genl Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5304 Accounting Fees 100 Genl Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies 100 Genl Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies	Monthly charge for Accounting Services per Contract Monthly charge for QB Pro software including Payroll Service & ... Mailing envelopes, copies of invoices, misc postage	5304 - Accounting Fees 5540 - Office Supplies 5540 - Office Supplies	1,075.00 26.00 38.00
TOTAL						1,139.00
Bill Pmt -C...	09/10/2015	20494	Stensland Inspection Services	Building Inspection Services	100 - 4M Fund/US Bank - General F...	(4,285.00)
Bill	08/30/2015	Aug2015	100 Genl Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5350 Bldg Insp Fees - S...	Building Permits, B-89-15 - B-106-15, Z-31-15	5350 - Building Insp Fees - Stensland	4,285.00
TOTAL						4,285.00
Bill Pmt -C...	09/10/2015	20495	Tri-County Services (Streets, Other)		100 - 4M Fund/US Bank - General F...	(6,430.00)
Bill	08/31/2015	776	100 Genl Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Br...	26 hrs ditch mow	5845 - Brush/Tree/Sod/Seed	2,080.00
Bill	08/31/2015	777	100 Genl Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Br...	30.5 hrs tractor w brush mower, truck with chipper	5845 - Brush/Tree/Sod/Seed	4,095.00
Bill	08/31/2015	778	100 Genl Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5820 Gr...	grade 60thg, oak green	5820 - Gravel Road Maintenance	255.00
TOTAL						6,430.00
Bill Pmt -C...	09/10/2015	20496	WSB (Applicants)		100 - 4M Fund/US Bank - General F...	(4,757.28)
Bill	08/30/2015	180-22	550 Special Activities Fund:F. Applicant Pass-Thru Expenses:5341 Engi...	Cedar Hills / Bluff	5341 - Engineering - Pass Thru	297.00
Bill	08/30/2015	480-2	550 Special Activities Fund:F. Applicant Pass-Thru Expenses:5341 Engi...	Lakeview Dev	5341 - Engineering - Pass Thru	4,460.28
TOTAL						4,757.28
Bill Pmt -C...	09/10/2015	20497	WSB (City Engineer)	01856	100 - 4M Fund/US Bank - General F...	(3,395.50)
Bill	08/30/2015	450-6	550 Special Activities Fund:F. Applicant Pass-Thru Expenses:5341 Engi...	VBWD Z15-22	5341 - Engineering - Pass Thru	1,001.25
			550 Special Activities Fund:F. Applicant Pass-Thru Expenses:5341 Engi...	VBWD Z15-18	5341 - Engineering - Pass Thru	292.50
			100 Genl Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	2015 City Engineering Services, from June 1 to June 30 2015	5310 - Engineering Fees	2,101.75
TOTAL						3,395.50
Bill Pmt -C...	09/10/2015	20498	WSB (Comprehensive Plan)		100 - 4M Fund/US Bank - General F...	(1,335.25)
Bill	08/30/2015	470-3	550 Special Activities Fund:C. Codification/Comp Plan:6356 Comprehe...	Comprehensive Plan Amendment, June 1 to June 30, 2015	6356 - Comp Plan Expenses	1,335.25
TOTAL						1,335.25
Bill Pmt -C...	09/10/2015	20499	WSB (DNR Flood Imp)	Project No. 01856	100 - 4M Fund/US Bank - General F...	(14,426.00)
Bill	08/30/2015	410-19	800 City Infrastructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	Sanitary Sewer Improvements, June 1 to June 30, 2015	8895 - DNR Flood Imp Proj - Engineer	14,426.00
TOTAL						14,426.00

**City of Afton**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt -C...	09/10/2015	20500	WSB (DNR Flood Imp)	Project No. 01856	100 - 4M Fund/US Bank - General F...	(12,822.00)
Bill	08/30/2015	320-42	800 City InfraStructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	Flood Protection Improvement Project June 2015	8895 - DNR Flood Imp Proj - Engineer	12,822.00
TOTAL						12,822.00
Bill Pmt -C...	09/10/2015	20501	WSB (Flood ROW Mitigation)	project #01856	100 - 4M Fund/US Bank - General F...	(2,074.25)
Bill	08/30/2015	321-23	800 City InfraStructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	flood mitigation project right of way services, June 2015	8895 - DNR Flood Imp Proj - Engineer	2,074.25
TOTAL						2,074.25
Bill Pmt -C...	09/10/2015	20502	WSB (Flood ROW Mitigation)	project #01856	100 - 4M Fund/US Bank - General F...	(24,327.30)
Bill	08/30/2015	321-17	800 City InfraStructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	flood mitigation project right of way services, December 01, 201...	8895 - DNR Flood Imp Proj - Engineer	24,327.30
TOTAL						24,327.30
Bill Pmt -C...	09/10/2015	20503	WSB (Street Imp)	Project # 01856	100 - 4M Fund/US Bank - General F...	(11,543.00)
Bill	08/30/2015	400-20	120 Street Imp Capital Fd:B. Exp:7941 2015 Street Projects	Village Local Road Improvements	7941 - 2015 Street Projects	11,543.00
TOTAL						11,543.00
Bill Pmt -C...	09/10/2015	20504	WSB (Street Imp)	Project # 01856	100 - 4M Fund/US Bank - General F...	(1,245.50)
Bill	08/30/2015	390-21	120 Street Imp Capital Fd:B. Exp:7941 2015 Street Projects	CR-21 Improvement Project, June 2015	7941 - 2015 Street Projects	1,245.50
TOTAL						1,245.50
Bill Pmt -C...	09/15/2015	20505	US Bank (Temp Imp Bond)	Acct No. 0023703NS	100 - 4M Fund/US Bank - General F...	(12,907.81)
Bill	09/15/2015	10/1/15 Int ...		10/1/15 Interest Payment: Temp Imp Bonds	2037 - Acc Int 2015A DwntrwTemp Im...	12,907.81
TOTAL						12,907.81
Bill Pmt -C...	09/15/2015	20506	Holstad & Knaak, PLC	Legal Services	100 - 4M Fund/US Bank - General F...	(4,000.00)
Bill	08/31/2015	08252015	100 Gen'l Fd:B. Exp:B01 G & A.B1.2 Prof Serv:5321 General - Legal F...	Civil / General	5321 - Legal Fees - General	2,000.00
			100 Gen'l Fd:B. Exp:B01 G & A.B1.2 Prof Serv:5320 Prosecution - Leg...	Criminal	5320 - Legal Fees - Prosecution	1,509.00
			800 City InfraStructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	Condemnation litigation: DOWNTOWN IMP PROJECTS	8891 - DNR Flood Imp - Property Exp	491.00
TOTAL						4,000.00
Bill Pmt -C...	09/15/2015	20507	Wenck Associates Inc.	project 2656	100 - 4M Fund/US Bank - General F...	(1,224.00)
Bill	08/31/2015	2656-04 083...	800 City InfraStructure Imp Fd:B. Exp:8890 DNR Flood Imp Exp	Wastewater System Engineering, DNR Village Septic	8895 - DNR Flood Imp Proj - Engineer	1,224.00
TOTAL						1,224.00

**City of Afion**  
**Claims to be Approved**  
**August 19 through September 15, 2015**

09/09/15

Type	Date	Num	Name	Memo	Account	Original Amount
Liability C...	08/31/2015	201509001	PERA (Staff)	3030-01 210990	100 - 4M Fund/US Bank - General F...	(929.32)
				3030-01 210990	2302 - PERA Payable - Staff	431.47
				3030-01 210990	2302 - PERA Payable - Staff	497.85
TOTAL						929.32
Liability C...	08/31/2015	201509002	IRS (US Treasury)	41-1290668	100 - 4M Fund/US Bank - General F...	(3,967.90)
				41-1290668	2210 - Federal Withholding	1,450.00
				41-1290668	2213 - Medicare Payable - Employer	251.54
				41-1290668	2212 - Medicare W/H - Employee	251.54
				41-1290668	2205 - Soc Sec Payable - Employer	1,007.41
				41-1290668	2204 - Social Security W/H - Employee	1,007.41
TOTAL						3,967.90
Liability C...	08/31/2015	201509003	MN Dept of Revenue	5050730	100 - 4M Fund/US Bank - General F...	(628.00)
				5050730	2208 - MN State Withholding	628.00
TOTAL						628.00
Bill Pmt -C...	08/19/2015	201509004	Court Administration		100 - 4M Fund/US Bank - General F...	(384,100.00)
Bill	08/01/2015	Five Easeme...	800 City InfraStructure Imp FddB. Exp:8890 DNR Flood Imp Exp	Appraised value of five easements acquired for downtown imp pr...	8892 - Dwtwn Imp - Easemnts & Da...	384,100.00
TOTAL						384,100.00
Liability C...	09/15/2015	201509005	PERA (Council)	3030-51 207620	100 - 4M Fund/US Bank - General F...	(110.00)
				3030-51 207620	2303 - PERA Payable - Council	55.00
				3030-51 207620	2303 - PERA Payable - Council	55.00
TOTAL						110.00

**RESOLUTION 2015-61**

CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION APPROVING 4M FUND TRANSFERS FOR – AUGUST, 2015**

**BE IT RESOLVED THAT** the City Council of the City of Afton, County of Washington, Minnesota, authorizes the transfer of the following sums of money between the City's 4M Fund Accounts, as detailed in Exhibit A – 4M Fund Transfers – Month of AUGUST, 2015.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15th DAY OF SEPTEMBER, 2015.**

**SIGNED:**

\_\_\_\_\_  
Richard Bend, Mayor

**ATTEST:**

\_\_\_\_\_  
Ronald J. Moorse, City Administrator

Motion by:  
Second by:  
Palmquist:  
Richter:  
Ross:  
Nelson:  
Bend:



City of Afton  
3033 St. Croix Trl, P.O. Box 219  
Afton, MN 55001

# Meeting Date Sept. 15, 2015

## Council Action Memo

To: Mayor Bend and Members of the City Council  
From: Ron Moorse, City Administrator  
Date: September 8, 2015  
Re: Michael Pofahl Proposal to Conduct Annual Audit – **Resolution 2015-62**

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At its August 18, 2015 regular meeting, the Council approved the proposal from Michael Pofahl to conduct the annual audit for 2015 at a cost of \$5,350. The Council's practice is to adopt a resolution regarding these types of contractual arrangements. Attached is a resolution reflecting the Council's approval of the annual audit proposal.

### Council Action Requested

**Motion regarding the adoption of a resolution approving the proposal from Michael Pofahl for conducting the 2015 annual audit at a cost not to exceed \$5,350.**

**RESOLUTION 2015-62**

CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

**RESOLUTION APPOINTING MICHAEL POFAHL TO CONDUCT THE 2015  
ANNUAL CITY AUDIT**

**WHEREAS**, the City annually hires an auditor to conduct the annual city audit; and

**WHEREAS**, after careful review and consideration, the City Council has chosen to appoint Michael Pofahl to conduct the 2015 annual city audit.

**BE IT RESOLVED** by the City Council of the City of Afton that Michael Pofahl is hereby appointed to conduct the 2015 annual city audit for a cost not to exceed \$5,350.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15th DAY OF  
SEPTEMBER, 2015.**

**SIGNED:**

\_\_\_\_\_  
Richard Bend, Mayor

**ATTEST:**

\_\_\_\_\_  
Ronald J. Moore, City Administrator

Motion by:  
Second by:  
Palmquist:  
Richter:  
Ross:  
Nelson:  
Bend:

City of Afton  
3033 St. Croix Trl, P.O. Box 219  
Afton, MN 55001

## Meeting Date Sept. 15, 2015

### Council Action Memo

To: Mayor Bend and Members of the City Council  
From: Ron Moorse, City Administrator  
Date: September 8, 2015  
Re: Sewer Ordinance amending Section 12-83 and Sections 12-1901 through 12-2300 – **Ordinance 04-2015 and Summary Ordinance 04-2015**

---

At its August 18, 2015 regular meeting, the Council approved the sewer ordinance amendment reflecting revisions related to the planned wastewater collection and treatment system. The sewer ordinance amendment has been placed into the formal ordinance amendment format, and a summary ordinance has been prepared, for the Council's approval.

#### Council Action Requested

**Motion regarding the approval of the sewer ordinance amendment and a summary ordinance for publication.**

ORDINANCE 04-2015

CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING THOSE PORTIONS OF THE AFTON CITY CODE RELATING TO  
SEPTIC PERMITS, SECTION 12-83 AND SEWAGE, SECTIONS 12-1901 THROUGH 12-2300

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections shall be amended by deleting the strike-through language and replacing it with the underlined language and renumbering sections as shown below.

ARTICLE II ZONING

DIVISION 2 ADMINISTRATION

Sec. 12-83. Septic permits.<sup>58</sup>

A. No building permit for any use requiring on-site sewage treatment and disposal shall be issued until a septic permit has first been issued by the building official.

B. A septic permit shall be issued only after proof is furnished by the applicant that a suitable on-site sewage treatment and disposal system can be installed on the applicant's lot. In the Historic Village Septic Treatment Service Area, no new permits will be issued for Individual Septic Treatment System. ~~However, in the VHS zoning districts the City will provide utility easements on suitable city property, as far as practical, for existing buildings with failing septic systems and no area for the installation of a standard septic system exists on the subject lot.~~ All septic systems shall conform to all of the requirements of the sanitary sewer disposal ordinance, Article IX of this chapter.

C. Notwithstanding the procedures and regulations specified in Section 12-1953, ~~Existing~~ on-site sewage treatment systems shall be evaluated to determine location, condition and function, and shall be brought into conformance with this article and the sanitary sewer disposal ordinance, Article IX of this chapter when:

1. An application for a building permit for construction of an addition onto the principal structure or a structural alteration of the principal structure is submitted to and approved by the building official.
- ~~2.~~ 2. The use of a structure or property changes.
- ~~3.~~ 3. A Conditional Use Permit for a duplex is granted by the City Council.
4. The building official deems it necessary to upgrade the existing system, based upon evidence of the system failing to function properly, failing to adequately treat sewage, or otherwise posing a hazard to the public health.
- ~~5.~~ 5. Upon sale or transfer of the property.

D. Notwithstanding the provisions specified in Sections 1953 & 1954, ~~When an existing~~ nonconforming septic system is required to be upgraded according to Section 12-83(C), the new on-site sewage treatment system shall be installed prior to the issuance of a building permit unless a financial guarantee equal to 125 percent of the cost of installing such a system and is valid for one year is issued to the City.

ARTICLE IX. SEWAGE<sup>1</sup>

DIVISION 1. GENERALLY

Secs. 12-1901--12-1950. Reserved.

<sup>1</sup>Cross references—Zoning and water supply sanitary requirements for shoreline management, § 12-401 et seq.; Lower St. Croix River management requirements or sewage disposal, § 12-587; floodplain management on-site sewage treatment and water supply systems, § 12-1143. State law references—Authority to establish and maintain sewers, M.S.A. § 412.221, subd. 6; authority to build and construct sewers and sewage disposal plants, M.S.A. § 444.075.

## DIVISION 2. SEWER USE<sup>2</sup>

### Subdivision I. Generally

#### Sec. 12-1951. Purpose.

This article is adopted for the purpose of:

- A. Protecting the health, safety, and welfare of the residents of the community, present and future and in accordance with the City's SDS, and where applicable, NPDES permit.
- B. Regulating the discharge of wastes into soil treatment units and associated collection systems which would have an adverse affect on the operation and maintenance of the wastewater treatment facilities.

#### Sec. 12-1952. Definitions.<sup>3</sup>

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Active maintenance* means a maintenance program for individual sewage treatment systems whereby the property owner has complete responsibility for effecting operation, maintenance and replacement (OM&R) in a manner acceptable to the City.

*Building drain* means that part of the lower horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer which begins at least one foot outside the building line.

*Building sewer* means that part of the drainage system which extends from the end of the building drain and conveys its discharge to the public sewer, private sewer, individual sewage-disposal system, or other point of disposal.

*BOD*. Biological Oxygen Demand. BOD is the amount of oxygen required for organic material breakdown. It is often used as a gauge for organic water quality.

*Community sewage treatment system* means a sewage treatment system which collects sewage from two or more residences or other establishments, consisting of: Collector lines, pumps, sewage tanks, and soil treatment unit. Also known as a cluster system or collector system.

*Easement* means a legal transfer of rights, privileges or uses of private property.

*Equivalent Residential Units (ERU)*. Wastewater charges will be established based on Equivalent Residential Units (ERU). One ERU is defined as a unit of wastewater volume of 240 gallons per day with a theoretical waste strength of 300 mg/l of BOD, 200 mg/l of TSS, and 50 mg/L ~~FO&G~~.

*F.O.G.* see ~~O&G~~

*Garbage* means solid waste resulting from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, or sale of meat, fish, fowl, fruit, or vegetables and condemned food.

*Historic Village Sewage Treatment Service Area (HVSTSA)* means that part of the city served by the publicly operated Large Subsurface/Sewage Treatment System as shown in the Comprehensive Plan.

*Individual subsurface sewage treatment system (ISTS) or On-site sewage treatment system* means an individual sewage treatment system or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less. ISTS includes the holding tanks and privies, but does not

<sup>2</sup>Cross references—Septic permits regarding zoning, § 12-83; sewers and subdivisions, § 12-1428.

<sup>3</sup>Cross reference--Definitions generally, § 1-2.

include any pump tanks used in a sewage collection system. ISTS does not include building sewers or other components regulated under Minnesota Rules, Chapter 4715, or sewage collection systems.

*Industrial wastes* means the solid, liquid, or gaseous waste resulting from industrial or manufacturing processes, trade or business, or from the development, recovery or processing of natural resources.

*Industry* means any nongovernmental or nonresidential user of a publicly owned treatment works which is identified in the Standard Industrial Classification Manual, latest edition, categorized in Divisions A, B, D, E and I.

*Large Subsurface/Sewage Treatment System (LSTS)* means a subsurface collection and sewage treatment system that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade and that is designed to receive sewage design flow of greater than 10,000 gallons per day.

*Natural outlet* means any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

*Normal domestic strength wastes* means wastes which are characterized by a per capita discharge of 75 gallons per day at a loading of 3200 mg per liter BOD, and 22500 mg per liter total suspended solids TSS, and 50 mg per liter FOGO & G.

*O&G (also known as FOG)* means oil and grease (or fat, oil and grease), a component of sewage typically originating from foodstuffs such as animal fats or vegetable oils or consisting of compounds of alcohol or glycerol with fatty acids such as soaps and lotions, typically expressed in mg/l. (also known as FOG or fat, oil and grease.)

*Operation and maintenance* means activities required to provide for the dependable and economical functioning of the treatment system, throughout the useful life of the treatment works, and at the level of performance for which the treatment works were constructed. Operation and maintenance includes replacement.

*Other wastes* means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal, and all other substances except sewage or industrial waste.

*Passive maintenance* means a maintenance program for community sewage treatment systems whereby the community in which the treatment system is situated is responsible for conducting operation, maintenance and replacement in a manner acceptable to the City.

*pH* means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

*Public sewage treatment system* means any sewage treatment system owned or operated by a unit or agency of government.

*Sanitary sewer* means a sewer which carries sewage and to which stormwater, surface water, and groundwater are not intentionally discharged.

*Sanitary waste* means the liquid and water carried wastes discharged from sanitary plumbing facilities.

*Sewer* means a pipe or conduit for carrying sewage, industrial wastes or other waste liquids.

*Sewer system* means pipelines or conduits, pumping stations, forcemains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage, industrial wastes or other wastes to a point of ultimate disposal.

*Slug* means any discharge of water, wastewater or industrial waste which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than 15 minutes, more than five times the average 24 hour concentration or flow during normal operation.

*State Disposal System (SDS) Permit* means any permit including any terms, conditions and requirements thereof issued by the MPCA pursuant to M.S.A. § 115.07 for a disposal system as defined by M.S.A. § 115.01, subd. 8.

*Suspended solids (TSS)* means solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

*Toxic pollutant* means the concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects as defined in standards pursuant to section 307(a) of the Clean Water Act.

*Unpolluted water* means clean water uncontaminated by industrial wastes, other wastes, or any substance which renders such water unclean or noxious or impure so as to be actually or potentially harmful or detrimental, or injurious to public health, safety, or welfare; to domestic, commercial, industrial or recreational uses; or to livestock, wild animals, birds, fish, or other aquatic life.

*Wastewater facility* means the structures, equipment, or processes required to collect, ~~carry away~~ convey, and treat domestic and industrial ~~commercial~~ wastes and dispose of the effluent ~~by means of Treatment System~~.

(Ord 08-2010, § 12-1952, 9/21/10)

Sec. 12-1953. Connection to Individual Subsurface Septic Treatment System (ISTS) and Community Septic Treatment Systems.

- A. All improved properties not located in the Historic Village Sewage Treatment Service Area shall be connected to a compliant ISTS, per Minnesota Rules.

Sec. 12-1954. Applicability. Connection to Large Subsurface Treatment System (LSTS).

~~A.~~ This article shall apply and be in effect for the stated purposes within the "201" study Historic Village Sewage Treatment Service Area, as shown in the Comprehensive Plan. Any property outside of the HVSTSA shall be connected to an individual subsurface sewage treatment system (ISTS) meeting the requirements of Section 12-83 of the Zoning Code ("Septic Permits") or to a community sewage treatment system approved under the authority of the City.

- A. The sewer permit fee and sewer connection charges shall be established by the City, as outlined in the City's fee schedule.

- B. At the time the LSTS becomes available to properties within the HVSTSA, the City Engineer shall contact the property owner in writing notifying them of the availability of the LSTS and requesting completion of a sewer permit and to schedule a connection. Properties previously connected to the "201" community sewage treatment system or with existing ISTS which are failing to adequately treat sewage, posing a hazard to the public health or otherwise deemed by the City to be non-complaint shall connect within 60 days from when the sewer becomes available.

- ~~B.C.~~ All properties located in the HVSTSA shall be connected to the LSTS no later than December 31, 2024.

- ~~A.D.~~ Properties within the HVSTSA where construction is proposed for a new structure with a building drain requiring sewage treatment shall not be granted final building permit approval without the issuance of a sewer permit to connect to the LSTS system.

- E. The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the state building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9, shall apply.

- ~~1.~~ In the event a property owner shall fail to connect to a sewer in compliance with this Ordinance, an official ten (10) day notice shall be served instructing the affected property owner to make the connection. If no action is taken at that time, the City will have said connection made and shall assess the cost against the benefited property.

Sec. 12-1955. Inspections.

Inspections of ISTS, community systems, or connections to LSTS as required to determine compliance with this article shall be performed by the City Administrator or his/her agent under the following circumstances:

- A. Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this article. Those employees

shall have no authority to inquire into processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries except as is necessary to determine the kind and source of the discharge to the public sewer.

- B. The owner or occupant of a property shall be responsible to provide access at reasonable times, to the City Administrator or his/her agent, for the purpose of performing inspections required under this article.
- C. While performing the necessary work on private property as referred to in Subsection (A) of this section, the authorized employees of the City shall observe all safety rules applicable to the premises.
- D. Fees for inspections, maintenance, or other services rendered under this article shall be as set by resolution of the City Council from time to time.

#### **Sec. 12-1956~~54~~. Enforcement**

- A. The City Administrator and his/her agent ~~City Clerk/Zoning Administrator~~ shall be responsible for administration and enforcement of this article.
- B-A. The City Administrator ~~Clerk/Zoning Administrator~~ or his/her agent shall be qualified and certified by the MPCA as competent in the design, evaluation and inspection of ISTS and connections to LSTS individual on-site sewage treatment systems~~and~~, and shall carry a current individual sewage treatment system certificate and a current class CD operators certificate.

#### **Sec. 12-1957~~65~~. Appeals and variance requests.**

- A. The City Council shall hear and decide appeals and review any order, decision or determination made by the City Administrator and his/her agent ~~clerk/Zoning Administrator~~ regarding the enforcement of this article.
- B. The City Council shall hear and act upon all rate adjustment and variance requests.
- C. Any appeal of an administrative decision or determination may be filed by any person, department, bureau, town, city, county, or state which is aggrieved by the decisions.

#### **Sec. 12-1956. — Inspections.**

Inspections as required to determine compliance with this article shall be performed by the City Administrator or his authorized agent under the following circumstances:

- A. Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this article. Those employees shall have no authority to inquire into processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries except as is necessary to determine the kind and source of the discharge to the public sewer.
- B. The owner or occupant of a property shall be responsible to provide access at reasonable times, to the City Administrator or his/ agent, for the purpose of performing inspections required under this article.
- C. While performing the necessary work on private property as referred to in Subsection (A) of this section, the authorized employees of the City shall observe all safety rules applicable to the premises.
- D. Fees for inspections, maintenance, or other services rendered under this article shall be as set by resolution of the City Council from time to time.

#### **Sec. 12-1958~~7~~. Violations and penalties.**

A. It is hereby declared unlawful for any person to violate any term or provision of this article. All violations and penalties of this Chapter shall following the procedures set forth in Chapter 1-13 of the City Code. Violation thereof shall be a misdemeanor. Each day that a violation is allowed to continue shall constitute a separate offense.

C. B. If no action or remedy is made regarding making a required connection to the LSTS, the City will make that connection to the LSTS and shall assess the cost of connection to benefitting properties.

~~D. Upon a violation or a threatened violation of this article, the City Administrator, in addition to other remedies, may request appropriate actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations and it shall be the duty of the City attorney to initiate such action.~~

~~E. Any person found to be violating any provisions of this article shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the time period stated in such notice permanently cease all violation.~~

~~F. Any person who shall continue any violation beyond the time limit provided for in the written notice shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding \$700.00[MP1] for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.~~

~~G. Any person violating any of the provisions of this article shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.~~

~~H. Any taxpayer of the City may institute mandamus proceedings in district court to compel specific performance by the proper official or officials of any duty required by this article.~~

**Secs. 12-1958--12-1980. Reserved.**

### **Subdivision II. Use of Public Sewage Treatment Systems**

#### **Sec. 12-1981. Unlawful surface discharge.**

It shall be unlawful to discharge to any natural outlet within the City or any area under the jurisdiction of the City any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article and the City's National Pollutant Discharge Elimination System (NPDES)/SDS permit.

#### **Sec. 12-1982. Unlawful connection to public sewage treatment system, permit.**

It shall be unlawful for any person to connect a building sewer to any public sewer ~~the large subsurface treatment system in the HVSTSA~~ without first obtaining a sewer permit from the City. ~~The City shall permit new connections and flow increases only if there is additional available capacity in the particular public sewage treatment system being considered. No new construction will be permitted to connect for two years following start up of each public sewage treatment system.~~

#### ~~Sec. 12-1983. Lawful connections to public sewers.~~

~~New connections will be allowed, with a city permit, according to the following conditions:~~

~~A. Where an existing on-site septic sewer system is failing and where the property in question has frontage on the public sewage treatment system is located in the HVSTSA, a new connection may shall be permitted if capacity is available in all components of the public sewage treatment system.~~

~~B. New connections to any current or future the public sewage treatment systems will be permitted for new construction if capacity is available in the particular public sewage treatment system over what is needed to accommodate all the existing structures.~~

~~C. New connections shall be constructed according to the specifications of the City's permit for such connection. The permit conditions for new building sewer connections to public sewage treatment systems shall be as follows:~~

- ~~1. Applications for permits shall be made by the owner or authorized agent and shall state the location, name of owner, street number of the building to be connected, and how occupied. No person shall extend any private building or property for which the service connection permit has been given. The application shall contain an acknowledgment by applicants that the system, although owned by the City, was designed by a professional engineer to specifications established by the City and state and federal government and was constructed primarily with state and federal funds as an accommodation to applicants who had failed septic systems and could not comply with septic standards in any other manner are limited due to the development density of the area.~~

~~2. All applicants shall also agree not to seek damages or indemnification from the City for loss or injury resulting from back-up or other functioning or nonfunctioning of the system, unless the City has failed or refused to comply with the maintenance standards contained in this article.~~

~~2.~~

- ~~3. There shall be two classes of building sewer permits:~~
- ~~a. For residential and commercial service[MP2]; and,~~
  - ~~b. For service to establishments producing [industrial][MP3] wastes.~~

~~In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgment for the City. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.~~

- ~~4. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the installation of the building sewer.~~
- ~~5. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered one building sewer. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.~~
- ~~6. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City to meet all requirements of this article.~~
- ~~7. The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the state building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9, shall apply.~~
- ~~8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. The property owner shall provide and maintain such lifting mechanism as required at no expense to the City.~~

~~D.A. \_\_\_\_\_ The fee for new connections shall be established by the City from time to time [BR4][DH5].~~

#### **Sec. 12-1984. Unlawful discharge to LSTSpublic sewers.**

No person shall discharge or cause to be discharged directly or indirectly any waste which, by volume or strength or nature, may harm the wastewater treatment LSTS facility or cause obstruction to the free flow in sewers or endanger life or cause a nuisance.

A. No person shall discharge or cause to be discharged directly or indirectly any stormwater, groundwater, roof runoff, subsurface drainage, waste from on-site disposal systems, unpolluted cooling or processing water to any sanitary sewer the LSTS except as permitted by the City.

A.B. \_\_\_\_\_ No person shall connect a sump pump to the LSTS. Unlawful connections shall be subject to penalty, per city's fee schedule.

B.C. \_\_\_\_\_ Stormwater and all other unpolluted water shall be discharged to a storm sewer if available or to the ground surface, and as allowed by MPCA, except that unpolluted cooling or processing water may be discharged to a storm sewer or natural outlet upon approval and the issuance of a discharge permit by the MPCA.

C.D. \_\_\_\_\_ No person shall discharge or cause to be discharged directly or indirectly to any treatment system the following substances:

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

2. Any water or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the wastewater treatment works.
  3. Any water or waste having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and people.
  4. Solid or viscous substances, either whole or ground, in quantities or of such size capable of causing obstruction to the flow in the sewers, or other interference with the proper continuation of the wastewater facilities such as, but not limited to, ashes, cinders, disposable diapers, glass grinding or polishing wastes, stone cuttings or polishing wastes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, sanitary napkins, paper dishes, cups, milk containers, and other paper products.
  5. Noxious or malodorous liquids, gases, or substances which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repairs.
  6. Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, including wastes which may adversely affect<sup>4</sup> the permeability of soils, such as dairy products and blood.
- D. No person shall discharge or cause to be discharged directly or indirectly the following described substances to ~~the LSTS~~ any public sewers unless in the opinion of the City such discharge will not harm the wastewater facilities, nor cause obstruction to free flow in ~~sewers~~ the LSTS, nor otherwise endanger life, limb, or public property, nor constitute a nuisance. In forming its opinion as to the acceptability of the wastes, the City may give consideration to such factors as the materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment facilities, the City's SDS permit, and other pertinent factors. The City may make such determination either on a general basis or as to discharges from individual users or specific discharges, and may prohibit certain discharges from individual users because of unusual concentrations or combinations which may occur. The substances ~~prohibited~~ are include:
1. Any liquid or vapor having a temperature in excess of 150 degrees Fahrenheit (65 degrees Celsius).
  2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 5+00 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 degrees Celsius). Any garbage that has not been ground or comminuted to such degree that all particles will be carried freely in suspension under flows normally prevailing in the public sewers, with no particles greater than one-half inch in any dimension. Commercial sources shall have a grease interceptor internal or external prior to discharge. O & GFOG must be intercepted prior to discharge.
  3. Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not; substances not intended for use in household cleaning, including but not limited to solvents, pesticides, flammables, photo finishing chemicals, paint, and dry-cleaning chemicals, and medicines.
  - 3.4. Chemically treated hot tub and all pool water; floor drains from garages.
  - 4.5. Any water or wastes containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the sewage works, or which interfere with the treatment required to meet the requirements of the state or federal government, or any other public agency with proper authority to regulate the discharge from the sewage treatment plant.
  - 5.6. Any radioactive wastes or isotopes of such half-life or concentration that they are not in compliance with regulations issued by the appropriate authority having control over their use or may cause damage or hazards to the treatment works or personnel operating it.
  - 6.7. Any water or wastes having a pH in excess of 9.5.
  - 7.8. Materials which exert or cause:
    - a. Unusual concentrations of suspended solids, (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
    - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
    - c. Unusual BOD or chemical oxygen demand in such quantities as to constitute a significant load on the wastewater treatment facilities.
    - d. Unusual volume of flow or concentration of waste constituting a slug.

**Sec. 12-1985. Pretreatment, control and refusal of extraordinary wastes.**

- A. If any water or wastes are discharged, or are proposed to be discharged directly or indirectly to the ~~LSTS~~ public sewers, which water or wastes do not meet the standards set out in or promulgated under this section, or which in the judgment

<sup>4</sup> Amendment 02-2009, 4/21/2009

of the City may have a deleterious effect upon the treatment facilities, processes, equipment, or receiving waters or which otherwise create a hazard to life, or constitute a public nuisance, the City may take all or any of the following steps:

1. Refuse to accept the discharges.
  2. Require control over the quantities and rates of discharge.
  3. Require pretreatment to an acceptable condition for the discharge to the public sewers.
  4. Require payment to cover the added cost of handling or treating the wastes.
- B. The design and installation of a plant or equipment for pretreatment or equalization of flows shall be subject to the review and approval of the City, and subject to the requirements of 40 CFR 403, entitled Pretreatment Standards, and the state pollution control agency.
1. Grease, oil, and mud interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 12-1984, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.
  2. Where preliminary treatment, flow equalization, or interceptors are required for any water or waste, they shall be effectively operated and maintained continuously in satisfactory and effective condition by the owner at his expense and shall be available for inspection by the City at all reasonable times.
  3. When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure and equipment, when required, shall be constructed at the owner's expense in accordance with plans approved by the City and shall be maintained by the owner so as to be safe and accessible at all times.
  4. All measurements, tests, and analyses of the characteristics of water and waste to which reference is made in this article shall be determined in accordance with 40 CFR 136 Guidelines Establishing Test Procedures for the Analysis of Pollutants; the latest edition of Standard Methods for the Examination of Water and Wastewater and shall be determined at the control structure provided, or upon suitable samples taken at such control structure. If no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effluent constituents and their effect upon the treatment works and to determine the existence of hazards to life, health and property. Sampling methods location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the City.
  5. The owner of any property serviced by a building sewer carrying industrial wastes shall, at the discretion of the City, be required to provide laboratory measurements, tests, and analyses of waters or wastes to illustrate compliance with this article and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state, and local standards are being met. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary the City reserves the right to take measurements and samples for analysis by an outside laboratory.
  6. New connections to the sanitary sewer system shall be prohibited unless sufficient flow capacity is available in all downstream facilities.
  7. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the industrial concern, providing that national categorical pretreatment standards and the City's NPDES and/or state disposal system permit limitations are not violated.

**Secs. 12-1986--12-2005. Reserved.**

### **Subdivision III. Use of Individual Sewage Treatment Systems<sup>5</sup>**

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<sup>5</sup>Cross reference—Buildings and building regulations, § 12-1771 et seq.

Sec. 12-2006. Reserved.<sup>6</sup>

Secs. 12-2007--12-2040. Reserved.

**Subdivision IV. Maintenance**

Secs. 12-2041 – 12-2044. Reserved.<sup>7</sup>

Secs. 12-2045 -- 12-2075. Reserved.<sup>8</sup>

**DIVISION 3. SEWAGE TREATMENT<sup>9</sup>**

Secs. 12-2076 -- 12-2200. Reserved.

**DIVISION 4. WASTEWATER SERVICE CHARGE SYSTEM**

**Subdivision I. Charges Established.**

1. Sewer Utility Charge. The City of Afton hereby establishes a Wastewater Service Sewer Utility Charge System whereby revenue collected from users of the LSTS wastewater treatment facilities will be used to offset all expenditures incurred for administration, annual operation and maintenance and equipment replacement.
2. Sewer Connection Charge. The City of Afton hereby establishes a Sewer Connection Charge whereby a one-time connection fee will be collected from new properties to cover the costs related to capital investments in the LSTS. New properties shall include any properties connected to the LSTS that were not originally assessed for the construction, including those newly created lots through lot split or subdivision.

~~Sec. 12-2201. User Categories:~~

~~Users of the "River Road 201" wastewater facilities/Historic Village Sewage Treatment service area of the City of Afton shall be classified into one of the following categories:~~

~~A. Residential User~~

~~B.A. Seasonal Commercial User~~

**Sec. 12-2202. Equivalent Residential Units.**

Wastewater charges will be established based on Equivalent Residential Units (ERU). One ERU is defined as a unit of wastewater volume of ~~240~~25 gallons per day with a theoretical waste strength of ~~3200~~ mg/l of BOD<sub>5</sub> and ~~200~~25 mg/l of total suspended solids TSS, and ~~50~~ mg/L P&O&G. The assignment of ERUs will be made by the City. ~~Seasonal Commercial properties will have multiple units as identified by the City Administrator or his/her agent/City Clerk/Zoning Administrator or his agent.~~ will have a value of sixty percent (60%) of an equivalent year round unit.

~~A. Equivalent Residential Units at a volume of 24025 gallons per day Normal Domestic Strength Wastewater will be assigned by the City according to the following table: to residential parcels:~~

<u>Sewage Flows</u>	<u>ERUs</u>
<u>No. of Bedrooms in gal. per day</u>	

<sup>6</sup>Ord 08-2010, § 12-2006, 9/21/2010

<sup>7</sup>Ord 08-2010, § 12-2041 through 12-2044, 9/21/2010

<sup>8</sup>Ord 1997-9, 1/13/98

<sup>9</sup>Ord 1997-9, 1/13/98; Ord 08-2010, § Article IX, Division 3, 9/21/10

1	2	225	1.0
3		300	1.3
4		375	1.7
5		450	2.0
6		525	2.3
7		600	2.7

Non-residential users shall be assigned ERUs according to ESTIMATES OF COMMERCIAL, INDUSTRIAL, AND RECREATIONAL WASTEWATER FLOWS as printed in the City of Afton Historic Village EU Map on file with the City Clerk, On-Site Sewage Treatment Manual, which is printed annually by the University of Minnesota Agricultural Extension Service and the Minnesota Pollution Control Agency.

B.A. Users may appeal the number of ERUs assigned to a particular connection by installing and maintaining, at their own expense, water meters of a type approved by the City. Such meters shall be equipped with remote registering recorders located at an accessible site on the owner's<sup>10</sup> property.

C.B. The City may, at its discretion require non-residential users to install water meters for the purpose of determining wastewater volume. The City may require residential-connections to install water or wastewater meters within the HVSTSA as part of a comprehensive program to install meters, throughout the City's water system. When so required, such meters shall be of a type approved by the City and equipped with remote registering recorders, and located at an accessible site on the owner's property.

**Sec. 12-2203. Annual User Charge Rates.**

~~In accordance with Federal and State requirements, each user will be notified annually at the beginning of each calendar year of the User Charge Rates attributed to wastewater treatment services. At the beginning of each calendar year, the city will update its user charge rates as part of the city Fee Schedule approval.~~

**Sec. 12-2204. Records.**

In accordance with Federal and State requirements, the City Administrator will be responsible for maintaining all records necessary to document with the Wastewater Service Charge System adopted.

**Secs. 12-2205-12-2210. Reserved.**

**Subdivision II. Determination of Charges.**

**Sec. 12-2211. Recovery of Costs.**

It is the intent of this Ordinance that the wastewater service charges shall cover the costs of operating and maintaining the wastewater systems, and that costs are recovered from all users in a proportionate manner. The City shall maintain a proper system of accounts suitable for determining the operation and maintenance and equipment replacement costs of the collection and treatment facilities. These costs shall be reviewed at regular annual intervals. The City shall determine whether or not sufficient revenue is being generated for the effective operation and maintenance and management of the wastewater system, and that user charges are being distributed proportionately to all users. Any inequities and/or shortages shall be corrected by adjusting the rates accordingly by resolution of the City.

~~Sec. 12-2212. Determination of User Charge.~~

~~All users shall be charged an semi-annual wastewater service charge in accordance with the methodology described below:~~

$$\frac{Cs/ERU}{\text{No. of ERU's}} = \frac{Com + Cr}{\text{No. of ERU's}}$$

~~Where Cs = Wastewater Service Charge per year  
Com = Operation and Maintenance Charge per year~~

<sup>10</sup> Amendment 02-2009, 4/21/2009

Cr \_\_\_\_\_ = \_\_\_\_\_ Equipment Replacement Charge per year |  
[DH7]

**Sec. 12-2212~~3~~. Semi-Annual Fees and Payments.**

All users of the wastewater treatment facilities shall be charged semi-annually for sewer service based on the number of equivalent residential units assigned to each and based on whether the unit is seasonal or year-round. Payment shall be rendered in full within 30 days of the billing date.

**Sec. 12-2214. Septic Tank Effluent Pumping Surcharge.**

An additional fee shall be charged to users of the community sewage treatment system who, for whatever reason, require septic tank pumping more frequently than once in two years. The surcharge for such frequent pumping shall be at the same rate, either per tank or per gallon, as established by contract for the routine pumping of each septic tank on the community sewage treatment system.

**Sec. 12-2215. Fees for Unusual Wastes.**

If a user discharges ~~toxic pollutants or~~ wastes of unusual strength or character to the treatment facilities which cause or increase the operation and maintenance costs, he/she shall be ordered either to install pretreatment facilities or pay for the extra costs of treating the wastes. This decision will be made by the City, prior to ~~at~~ the time the user begins to discharge extra strength wastes.

**Sec. 12-2216. Toxic or Incompatible Waste Clean-Up.**

Any additional costs caused by discharges to the treatment works of toxics or other incompatible wastes, including the costs of restoring wastewater treatment services, clean-up and restoration of ground and surface water and environs, and sludge disposal, shall be borne by the discharger(s) of said wastes, at no expense to the City.

**Sec. 12-2217. Establishment of Special Accounts.**

The City hereby establishes a Wastewater Service Fund into which all revenue collected from users will be deposited for disbursements into the general operating fund and the replacement fund. For the purpose of community and cost accounting records, this fund is designated as an income account. Revenue sufficient to insure adequate replacement shall be held in the replacement fund separate from the operation and maintenance fund proportionately to each fund.

**Secs. 12-2218 – 12-2225. Reserved.**

**Subdivision III. Administration.**

**Sec. 12-2226. Applicability of Wastewater Service Charge System.**

This Ordinance shall apply and be in effect for the stated purposes within the ~~“201” study areas~~ Historic Village Sewage Treatment service area in the City of Afton.

**Sec. 12-2227. Enforcement.**

A. The City Administrator shall be responsible for administration and enforcement of this Ordinance.

B. The City Administrator or his/her agent shall be qualified and certified by the MPCA as competent in the design, evaluation and inspection of the following sewage treatment systems as overseen or regulated by the City:

a. a-Large Subsurface/Sewage Treatment Systems, and shall carry a current Large Subsurface/Sewage Treatment System certificate and a current class C operators certificate.

b. Individual on-site sewage treatment systems, and shall carry a current Individual Sewage Certificate and a current Class D Operations Certificate.

a-c. Public-Community Sewage Treatment Systems if any are established in the future.

**Sec. 12-2228. Appeals and Variances.**

- A. The City shall hear and decide appeals and review any order, decision or determination made by the City Administrator regarding the enforcement of this Subdivision.
- B. The Board of Adjustment & Appeals shall hear and act upon all rate adjustment and variance requests.
- C. Any appeal of an administrative decision or determination may be filed by any person, department, bureau, town, city, county, or state which is aggrieved by a decision.

~~Sees. 12-2229 – 12-2235. Reserved.~~

**Subdivision IV. Failure to Make Payment Enforcement.**

**Sec. 12-2236. Violations and Penalties.**

Any bill not paid four (4) weeks after date of billing shall be declared delinquent and a past-due notice shall be issued to the billed party. The past-due notice shall contain an additional charge to cover the costs of the rebilling. Additional delinquent notices including their respective charges shall be sent at eight (8) and twelve (12) weeks after the billing date. Should a bill still be delinquent after one hundred twenty (120) days, the City may elect to take the following actions.

- A. Whenever wastewater service charge bills become delinquent, the amount due shall be certified to the County Auditor for inclusion with the following year's tax statement.
- B. Lien. Whenever wastewater treatment bills become delinquent the same shall become and constitute a lien upon the real estate to which sewer service is supplied. Statements rendered for such charge shall be deemed notice to all parties, whether or not the person charged with the statement is the property served. The claim for lien shall be made in the<sup>11</sup> form of a sworn statement setting forth:
  - 1. a description of the real estate, sufficient for the identification thereof, upon or for which the sewage service was supplied;
  - 2. the amount of money due for such sewage service; and
  - 3. the date or dates when such amount or amounts became delinquent. If all amounts shown due remain unpaid after recording as provided by state statutes, the City may foreclose the lien in the same manner and with the same effect as the foreclosing of mortgages on real estate.

~~B.C.~~          Civil Action. In the alternative of levying a lien, the City may, at its discretion, file suite in a civil action to collect such amounts as are delinquent and due against the occupant or user of the real estate and shall collect, as well, all attorney's fees incurred by the City in filing the civil action. Such attorney's fees shall be fixed by order of the court.

**Sec. 12-2237. Interest on Unpaid Balances.**

In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being served by the treatment works shall be liable for interest upon all unpaid balances at the rate set forth in the City's Fee Schedule, ~~of twelve percent (12%) per annum.~~

**Sec. 12-2238. Permit Revocation and Service Disconnection.**

The City reserves the right to revoke discharge permits and to disconnect service to any user whenever wastewater treatment becomes unacceptable or negatively impact the LSTS. ~~???~~ delinquent.

**Sec. 12-2239. Effective Date.**

This Ordinance takes effect upon passage and publication.

**Sec. 12-2240 – 12-2300. Reserved.**

---

<sup>11</sup> Amendment 02-2009, 4/21/2009

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15TH DAY OF SEPTEMBER, 2015.

SIGNED:

---

Richard Bend, Mayor

ATTEST:

---

Ronald J. Moorse, City Administrator

Motion by:  
Second by:  
Palmquist:  
Richter:  
Ross:  
Nelson:  
Bend:

**SUMMARY ORDINANCE 04-2015**

**CITY OF AFTON, MINNESOTA  
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THOSE PORTIONS OF THE AFTON CITY CODE RELATING TO  
SEPTIC PERMITS, SECTION 12-83 AND SEWAGE, SECTIONS 12-1901 THROUGH 12-2300**

**NOTICE IS HEREBY GIVEN** that on September 15, 2015, Ordinance 04-2015 was adopted by the City Council of the City of Afton, Minnesota.

**NOTICE IS FURTHER GIVEN** that, because of the lengthy nature of Ordinance 04-2015, the following summary of the ordinance has been prepared for publication.

**NOTICE IS FURTHER GIVEN** that the ordinance adopted by the City Council amends sections 12-83 and 12-1901 through 12-2300 of the Afton Land Use Code.

A printed copy of the entire ordinance is available for inspection by any person during the City's regular office hours, or on the City's website.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15TH DAY OF  
SEPTEMBER, 2015.**

**SIGNED:**

\_\_\_\_\_  
Richard Bend, Mayor

**ATTEST:**

\_\_\_\_\_  
Ronald J. Moorse, City Administrator

Motion by:  
Second by:  
Palmquist:  
Richter:  
Ross:  
Nelson:  
Bend:

CITY OF AFTON  
DRAFT PLANNING COMMISSION MINUTES  
August 31, 2015, 6:30 PM

1  
2  
3  
4  
5 1. **CALL TO ORDER** –Chair Barbara Ronningen called the meeting to order at 6:30 p.m.

6  
7 2. **PLEDGE OF ALLEGIANCE** – was recited.

8  
9 3. **ROLL CALL** – Present:, Nelson, Patten, Kilmer, Seeberger, Kopitzke and Chair Ronningen. **Quorum present.** Wrobleski arrived at 7:06 p.m. Excused Absence: Langan and Doherty.

10  
11  
12 **ALSO IN ATTENDANCE** – City Administrator Ron Moorse, Deputy Clerk Kim Swanson Linner and Council  
13 Member Liaison Stan Ross.

14  
15 4. **APPROVAL OF AGENDA** – Item 7.c., a Public Hearing for Elaine Murphy application was removed  
16 from the agenda as it was improperly noticed; it will be re-noticed for the October 5 meeting. Chair Ronningen  
17 added two items: Item 8.a. Grading Permits and Item 9.b. Review of the 6:30 p.m. start time for PC meetings.

18  
19 **Motion/Second: Kilmer/Patten. To approve the August 31, 2015 Planning Commission agenda as**  
20 **amended. Motion carried 6-0-0.**

21  
22 5. **APPROVAL OF MINUTES** –

23 a. August 3, 2015 Planning Commission Meeting Minutes –  
24 **Motion/Second: Nelson/Kopitzke. To approve the August 3, 2015 Planning Commission Meeting minutes**  
25 **as presented. Motion carried 4-0-2 (Abstain: Ronningen and Patten, as they were not in attendance.)**

26  
27 6. **REPORTS AND PRESENTATIONS** – none.

28  
29 7. **PUBLIC HEARINGS** –

30 a. Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue  
31 and the parcel to the south with PID 18.028.20.22.0002 – Chair Ronningen opened the Public Hearing at 6:35  
32 p.m.

33 Administrator Moorse summarized the application from Washington Conservation District water quality  
34 improvement projects utilizing grant funds to work with numerous property owners to address erosion issues in  
35 order to reduce the amount of sediment that erodes into streams. The project with Traditional Ventures, LLC is  
36 to construct a grassed waterway on the property at 1987 Manning Avenue and the parcel to the south to reduce  
37 erosion on the farm field. A grass waterway will be planted and an erosion control mat over the seed. The  
38 project will not change the route or volume of the water. The City Engineer has reviewed the grading plans, and  
39 reported the proposed erosion control blanket is adequate. The report also indicates that, if a culvert is installed  
40 in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed by  
41 the City Engineer.

42 Resident Anne Headrick, a neighbor at 12210 22<sup>nd</sup> St S, asked how the project will affect their property.

43 Kurt Rentschler, 1615 Manning, asked how this might affect the land to the north that is for sale.

44  
45 **Motion/Second: Patten/Nelson. To close the public hearing at 6:43 p.m. Motion carried 6-0-0.**

46  
47 **Motion/Second: Kopitzke/Ronningen. To recommend approval to the City Council for the Washington**  
48 **Conservation District's Conditional Use Permit for an erosion control project for Traditional Ventures,**  
49 **LLC at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002, with findings and**  
50 **conditions.**

51  
52 **Findings**

53 1. WCD and WSB found the project withstands a 10-year precipitation event.

- 54 2. The project will not increase water flow to any adjacent properties.  
55 3. The project will improve overall water quality to Valley Creek and ultimately to the St. Croix  
56 River.  
57

58 **Conditions**

- 59 1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the  
60 duration of the permit.  
61 2. Grading plans shall be reviewed and approved by the City Engineer  
62 3. City Engineer specifications and recommendations for all work shall be met for the duration of  
63 the permit.  
64 4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt  
65 fences or other types of erosion control shall be properly installed prior to construction; and shall  
66 be maintained in good condition until the construction is complete.  
67 5. Non-compliance with the conditions of this permit shall be considered a violation, and may result  
68 in revocation of this permit.  
69 6. Compliance with conditions of this permit shall be monitored on a periodic basis.  
70 7. Construction shall begin within one year of the date of issuance of this permit or the permit shall  
71 become null and void.  
72 8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for  
73 the culvert will need to be reviewed and approved by the City Engineer.  
74 9. The applicant and property owner will adhere to the operation and maintenance plan dated  
75 2/2015, and the grassway shall be maintained as such semi-annually for 10 years.  
76 10. All VBWD conditions shall be met.  
77 11. Any changes to the project shall be approved by the City of Afton.

78  
79 **Motion carried 5-1-0 (Nay-Ronningen).**

80  
81 b. Grant Weissner and Peter Hill Application for Conditional Use Permit for Grading at 3750 Paradox End  
82 Avenue S. and the parcel to the east with PID 22.028.20.31.0005 – Chair Ronningen opened the Public Hearing  
83 at 7:05 p.m.

84 Administrator Moorse described the project by the Washington Conservation District proposed for 3750  
85 Paradox End Avenue S and the property to the west to catch the large volume of surface water that flows off of  
86 the Paradox End cul de sac and onto the property to the north, as well as to manage groundwater that flows  
87 through the soil but hits bedrock and comes out into a gully, and to provide a stable flow path downhill for both  
88 of these water sources to reduce erosion. Two rock french drain structures are proposed to capture and direct  
89 the ground water, check dams to slow the water as it flows downhill, and a turf reinforcement mat to reinforce  
90 the vegetation along the waterway. There will be no change in the volume of the water flowing down the  
91 waterway. The City Engineer has reviewed the grading plans, and recommended approval with a number of  
92 revisions. WCD representative, James Landini, who prepared the grading plan, has reviewed and responded to  
93 the City Engineer's comments. Mr. Landini will discuss these items with the City Engineer and make necessary  
94 revisions.

95 There were no public comments.

96  
97 **Motion/Second: Patten/Nelson. To close the public hearing at 7:12 p.m. Motion carried 7-0-0.**

98  
99 **Motion/Second: Nelson/Seeberger. To recommend to the City Council the Washington Conservation**  
100 **District Conditional Use Permit application with Grant Weissner and Peter Hill for grading at 3750**  
101 **Paradox End Avenue S and the parcel to the east with PID 22.028.20.31.0005, with findings and**  
102 **conditions.**

103  
104 **Findings**

- 105 1. Project improves water quality.
- 106 2. WCD and WSB found the project withstands a 10-year precipitation event.
- 107

108 **Conditions**

- 109 1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the
- 110 duration of the permit.
- 111 2. Grading plans shall be reviewed and approved by the City Engineer
- 112 3. City Engineer specifications and recommendations for all work shall be met for the duration of
- 113 the permit.
- 114 4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt
- 115 fences or other types of erosion control shall be properly installed prior to construction; and shall
- 116 be maintained in good condition until the construction is complete.
- 117 5. Non-compliance with the conditions of this permit shall be considered a violation, and may result
- 118 in revocation of this permit.
- 119 6. Compliance with conditions of this permit shall be monitored on a periodic basis.
- 120 7. Construction shall begin within one year of the date of issuance of this permit or the permit shall
- 121 become null and void.
- 122 8. Installation shall be by design as approved by WCD and the WSB, the City Engineer.
- 123

124 **Motion carried 7-0-0.**

125

- 126 c. Elaine Murphy Application for Conditional Use Permit for Grading at the Parcel west of 15824 50<sup>th</sup> Sreet
- 127 with PID 27.028.20.43.0001 – [Deleted from agenda.]

128

- 129 d. Dan Dickinson Variance Application at 15876 Afton Boulevard S. – Chair Ronningen opened the Public
- 130 Hearing at 7:22 p.m.

131 Administrator Moose summarized the request from Dan Dickinson for a variance to the minimum lot size

132 requirement to enable the property at 15876 Afton Boulevard to be approved as a buildable lot so that it can be

133 added to the properties that will be included in the Village sewer system. The minimum lot size requirement is

134 22,500 square feet, which is commonly three historically platted 50 foot by 150 foot parcels (7,500 sq. ft. each)

135 combined to create one parcel. The Dickinson property is two historically platted parcels of 7,500 square feet

136 each, for a total of 15,000 square feet. This property contained a church and parsonage in the past. After the

137 church was decommissioned, the buildings were used at various times as City offices, a County library and a

138 single family dwelling/art studio. The house was moved in 1984 and the church was completely destroyed by a

139 fire in June of 1998. Mr. Dickinson purchased the property in 1999, and applied for a variance to the minimum

140 lot size requirements in 2002. At that time, Molly Shodeen of the DNR indicated that the DNR would not need

141 to certify the lot size variance, as the lots were existing lots of record. While the variance was approved, the

142 variance expired before Mr. Dickinson moved forward with the construction of a house on the property.

143 The site plan shows that a proposed house can meet the setback requirements and topography shows the

144 property does not have steep slopes. The two substandard parcels are proposed to be combined to create one

145 buildable lot. The planned wastewater treatment system has capacity to serve the property. Mr. Dickinson also

146 requested an extension of the expiration period for the variance, so that the timing of construction of a house can

147 be planned to coincide with the availability of sewer service to the property.

148 There were no public comments.

149

150 **Motion/Second: Nelson/Patten. To close the public hearing at 7:25 p.m. Motion carried 7-0-0.**

151

152 It was noted that individual septic systems can account for 3,000 s.f. of site, but even with that consideration,

153 some commissioners felt this lot is very sub-standard in size and wanted further direction from City Council.

154

155

156 **Motion/Second: Seeberger/Kopitzke. To recommend approval to the City Council for the Dan Dickinson**  
157 **variance request to accept the two combined historically platted parcels at 15876 Afton Boulevard South**  
158 **as a buildable lot with access to the Village sewer system, with findings and conditions.**

159  
160 **Findings**

- 161 1. **The property can't be put to a reasonable use without a variance.**
- 162 2. **The parcel was a pre-existing non-conforming lot.**
- 163 3. **A variance was previously recommended by the Planning Commission and approved by City**  
164 **Council.**
- 165 4. **The parcel has an existing well and septic system.**
- 166 5. **The conditions are not by the actions of the owner.**
- 167 6. **Granting the variance will not give special privilege to the owner.**
- 168 7. **Granting the variance will not change the essential character of the neighborhood.**
- 169 8. **It is recognized that this is a very small parcel.**

170  
171 **Conditions**

- 172 1. **The two parcels must be combined into one parcel**
- 173 2. **The house must meet all setback requirements.**
- 174 3. **The house must meet impervious coverage requirements**
- 175 4. **The house plan must comply with the Design Review Committee review and recommendations**
- 176 5. **The applicant must provide a grading and erosion control plan, and the plan must be approved by**  
177 **the City Engineer**
- 178 6. **The variance shall extend until one year after the Village sewer system is availability to the**  
179 **property.**
- 180 7. **No building permit shall be issued for the parcel until the city septic is available.**

181  
182 **Motion carried 7-0-0.**

183  
184 e. Lower St. Croix River Bluffland and Shoreland Management Ordinance and Floodway District Ordinance  
185 Amendment – Chair Ronningen opened the Public Hearing at 7:56 p.m.

186 Administrator Moorse reviewed the changes as discussed at the August 3 Planning Commission meeting  
187 and detailed in the memo on the inconsistencies between the Lower St. Croix Bluffland and Shoreland  
188 Management Ordinance and the Floodway District Ordinance with the City's regular zoning requirements. It  
189 was noted that these items should be corrected to provide clarification and avoid future conflicts.

190  
191 Section 12.637. Minimum district dimensional requirements in the St. Croix Bluffland District needs to  
192 match Section 12-132. Minimum requirements of impervious coverage in the VHS zoning districts. It will be  
193 changed to reflect the "20% or 4,350 s.f., whichever is greater" language.

194 Sec. 12-832. Certification by the commissioner for variances is no longer required; the language will be  
195 deleted from the ordinance.

196 Sec. 12-707. Requires updating to reflect uses prohibited in the VHS districts. These uses from the St. Croix  
197 Bluffland ordinance will be deleted to eliminate the inconsistency/conflict:

- 198 - Student Housing
- 199 - Institutional and medical housing
- 200 - Multiple family dwellings with central sewer
- 201 - Planned unit developments
- 202 - Townhouses with central sewer

203 Sec. 12-706. Conditionally Permitted Uses. The term "special uses" has been changed to "conditional  
204 uses" because the term "special use" is no longer used in the City's zoning ordinances.

205 Sec. 12-831. Administrative Procedure. Requirements to send variances and CUP applications to the  
206 Minnesota/Wisconsin Boundary Area Commission and to City Council cities within two miles of the affected

207 property. The Minnesota/Wisconsin Boundary Area Commission has been eliminated. Also, the statutory rules  
208 regarding administrative procedure do not include notification to neighboring cities. The requirements will  
209 therefore be deleted from the ordinance.

210 Sec. 12-707. Item E was amended by Ordinance 02-2012, but the word “Marinas” should have been  
211 retained while the portion “upstream from the Boomsite Highway wayside and” was deleted. This language will  
212 be corrected.

213 Section 12-1001. A list of permitted uses in the Floodway District included “shooting preserves, target  
214 ranges and trap and skeet ranges.” These uses are specifically prohibited in Sec. 12-134 Uses of the City’s  
215 zoning code. These uses will be deleted from Section 12-1001.

216 There were no public comments.  
217

218 **Motion/Second: Patten/Kopitzke. To close the public hearing at 8:02 p.m. Motion carried 7-0-0.**  
219

220 Commissioners suggested there be only one Ordinary High Water Mark designated on each application, as  
221 they have seen some before them with multiple OHWM listed. Moose agreed and will confirm that with the  
222 Department of Natural Resources and WSB engineers.

223 Section 12-831. A. 2. b. “The Planning Commission” was deleted.

224 Minor typos were corrected.  
225

226 **Motion/Second: Kopitzke/Wroblewski. To recommend the approval to City Council the Lower St. Croix  
227 Bluffland and Shoreland Management and Floodway District ordinance amendments as amended.**

228 **Motion carried 7-0-0.**  
229

230 **8. NEW BUSINESS –**

231 a. Grading Permits [was added to the agenda] – Chair Ronningen noted that Sec. 12-215 on grading says a  
232 Conditional Use Permit (CUP) is required. She believed it was an Administrative Permit. Deputy Clerk  
233 Swanson Linner confirmed that the CUP was indeed changed and reads “Administrative Permit” in the official  
234 Code of Ordinances. The chart in Sec. 1-76 however will have “City Engineer” added to the “Application  
235 Approved or Denied By” area for Land Reclamation and Land Grading. The website will be updated when the  
236 2015 ordinance amendments have been codified.  
237

238 **9. OLD BUSINESS –**

239 a. Draft City Council Minutes - Update on City Council Actions –Chair Ronningen reported that Council  
240 adopted the Solar Ordinance and approved the Draft Sewer Ordinance to enable a final ordinance be provided.

241 b. Review 6:30 p.m. meeting start time [was added to the agenda] – Chair Ronningen called for  
242 commissioner’s opinions on how the early start time is working, however, Doherty was not in attendance, so the  
243 discussion will be placed on the next agenda for discussion.  
244

245 **10. ADJOURN –**  
246

247 **Motion/Second: Nelson/Patten. To adjourn the meeting at 8:18 p.m. Motion carried 7-0-0.**  
248

249 Respectfully submitted by:  
250

251 \_\_\_\_\_  
252  
253 Kim Swanson Linner, Deputy Clerk  
254

255 **To be approved on October 5, 2015 as (check one): Presented: \_\_\_\_\_ or Amended: \_\_\_\_\_**

City of Afton  
3033 St. Croix Trl, P.O. Box 219  
Afton, MN 55001

## Meeting Date Sept. 15, 2015

### Council Action Memo

To: Mayor Bend and Members of the City Council  
From: Ron Moorse, City Administrator  
Date: September 8, 2015  
Re: Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 – **Resolution 2015-63**

#### Background

The Washington Conservation District has received grant funding for water quality improvements, and is working with numerous property owners to address erosion issues to reduce the amount of sediment that erodes into streams. Traditional Ventures, LLC is working with the Washington Conservation District regarding a proposal to construct a grassed waterway on the property at 1987 Manning Avenue and the parcel to the south to reduce erosion. The property has a farm field that experiences substantial erosion along an existing waterway that is part of the field. The proposed project will clean out the existing waterway, plant it with grass waterway seed mix and install an erosion control mat over the seed. The attached plan shows the location of the grassed waterway. The project will not change the route or volume of the water, but will provide a grassed waterway that will address the erosion problem. The extent of grading requires a conditional use permit (CUP). The City Engineer has reviewed the grading plans, and has provided the attached report. The report indicates the proposed erosion control blanket is adequate. The report also indicates that, if a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed by the City Engineer.

#### Planning Commission Recommendation

The Planning Commission recommended approval of the conditional use permit on a vote of 5-1-0 with the following findings and conditions.

#### Findings

1. The Washington Conservation District and the City Engineer found the project withstands a 10-year precipitation event.
2. The project will not increase water flow to any adjacent properties.
3. The project will improve overall water quality to Valley Creek and ultimately to the St. Croix River.

#### Conditions

1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
2. Grading plans shall be reviewed and approved by the City Engineer
3. City Engineer specifications and recommendations for all work shall be met for the duration of the permit.
4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.

5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.
6. Compliance with conditions of this permit shall be monitored on a periodic basis.
7. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.
8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed and approved by the City Engineer.
9. The applicant and property owner will adhere to the operation and maintenance plan dated 2/2015, and the grassway shall be maintained as such semi-annually for 10 years.
10. The project shall meet the requirements of the approved Valley Branch Watershed District Permit
11. Any changes to the project shall be approved by the City of Afton.

### **Resolutions**

Attached for the Council's consideration are a resolution reflecting the Planning Commission's approval recommendation and a resolution of denial.

### **Council Action Requested:**

**Motion regarding the Traditional Ventures, LLC application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002, with conditions, if desired.**



engineering • planning • environmental • construction

477 Temperance Street  
St. Paul, MN 55101  
Tel: 651-286-8450  
Fax: 651-286-8488

## Memorandum

**To:** Ron Morse, City of Afton

**From:** Jesse Carlson, WSB & Associates, Inc.

**Date:** August 26, 2015

**Re:** Drainage Review – Washington Conservation District – Wamstad Grassed Waterway  
WSB Project No. 01856-450

A proposed plan was submitted for a ravine stabilization project at the Wamstad property in the City of Afton. The proposed project is proposing to provide a grassed waterway to reduce erosion and improve water quality discharging Valley Creek. The grassed waterway will be constructed using NRCS guidelines and be designed to convey up to a 10-Year storm event. The grassed waterway will be stabilized using an erosion control blanket and waterway seed mix. As a part of this submittal the following was reviewed:

- Project specifications
- Plans
- Stormwater calculations

The following are recommended improvements that should be considered as a part of the final design:

- The plans identify the incorporation of Landlok S2 erosion control blanket for the stabilization of the proposed channel. Using the HydroCAD model provided with the application it is estimated that the shear stress values will be 0.63 lbs/ft<sup>2</sup> and the proposed erosion control blanket can withstand flows higher than this; therefore this will be adequate to establish vegetation in the channel.
- The HydroCAD model provides for the installation of a hypothetical future culvert to provide access across the grassed waterway. This crossing shall be submitted for review once the culvert is proposed to be installed.

Overall I would recommend approval of grading application. Please contact us if you have any questions regarding these review comments.

**RESOLUTION 2015-63**

CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION APPROVING TRADITIONAL VENTURES, LLC APPLICATION FOR  
CONDITIONAL USE PERMIT FOR GRADING AT 1987 MANNING AVENUE AND THE PARCEL  
TO THE SOUTH WITH PID #18.028.20.22.0002**

- WHEREAS,** the City of Afton is a municipal corporation organized and existing under the laws of the State of Minnesota; and
- WHEREAS,** the City Council of the City of Afton has adopted zoning, subdivision, and building regulations as part of the Afton Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and
- WHEREAS,** Traditional Ventures, LLC is requesting a Conditional Use Permit for grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 to construct a grassy waterway to reduce erosion and improve the water quality of Valley Creek; and
- WHEREAS,** The City Engineer has reviewed and approved the grading plan, and
- WHEREAS,** City staff reviewed the request and drafted a report for consideration; and
- WHEREAS,** the Planning Commission held a public hearing on the request at its regular meeting of August 31, 2015 and recommended APPROVAL of the application on a vote of 5-1-0; and
- WHEREAS,** the City Council heard the request at its regular meeting on September 15, 2015, at which it considered all of the comments, concerns and recommendations of the Planning Commission and Zoning Administrator and the applicant;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Afton does hereby APPROVE the Traditional Ventures, LLC application for a Conditional Use Permit for grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 to construct a grassy waterway to reduce erosion and improve the water quality of Valley Creek based on the findings and conditions listed below:

Findings

1. The Washington Conservation District and the City Engineer found the project withstands a 10-year precipitation event.
2. The project will not increase water flow to any adjacent properties.
3. The project will improve overall water quality to Valley Creek and ultimately to the St. Croix River.

Conditions

1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
2. Grading plans shall be reviewed and approved by the City Engineer
3. City Engineer specifications and recommendations for all work shall be met for the duration of the permit.
4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.
5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.
6. Compliance with conditions of this permit shall be monitored on a periodic basis.

**RESOLUTION 2015-63**

7. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.
8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed and approved by the City Engineer.
9. The applicant and property owner will adhere to the operation and maintenance plan dated 2/2015, and the grassway shall be maintained as such semi-annually for 10 years.
10. The project shall meet the requirements of the approved Valley Branch Watershed District Permit
11. Any changes to the project shall be approved by the City of Afton.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15th DAY OF SEPTEMBER, 2015.**

**SIGNED:**

\_\_\_\_\_  
Richard Bend, Mayor

**ATTEST:**

\_\_\_\_\_  
Ronald J. Moorse, City Administrator

Motion by:  
Second by:  
Palmquist:  
Richter:  
Ross:  
Nelson:  
Bend:

**RESOLUTION 2015-XX**

CITY OF AFTON  
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION DENYING TRADITIONAL VENTURES, LLC APPLICATION FOR  
CONDITIONAL USE PERMIT FOR GRADING AT 1987 MANNING AVENUE AND THE  
PARCEL TO THE SOUTH WITH PID #18.028.20.22.0002**

- WHEREAS,** the City of Afton is a municipal corporation organized and existing under the laws of the State of Minnesota; and
- WHEREAS,** the City Council of the City of Afton has adopted zoning, subdivision, and building regulations as part of the Afton Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and
- WHEREAS,** Traditional Ventures, LLC is requesting a Conditional Use Permit for grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 to construct a grassy waterway to reduce erosion and improve the water quality of Valley Creek; and
- WHEREAS,** The City Engineer has reviewed and approved the grading plan, and
- WHEREAS,** City staff reviewed the request and drafted a report for consideration; and
- WHEREAS,** the Planning Commission held a public hearing on the request at its regular meeting of August 31, 2015 and recommended APPROVAL of the application on a vote of 5-1-0; and
- WHEREAS,** the City Council heard the request at its regular meeting on September 15, 2015, at which it considered all of the comments, concerns and recommendations of the Planning Commission and Zoning Administrator and the applicant;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Afton does hereby DENY the Traditional Ventures, LLC application for a Conditional Use Permit for grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002 to construct a grassy waterway to reduce erosion and improve the water quality of Valley Creek based on the findings listed below:

Findings

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 15th DAY OF  
SEPTEMBER, 2015.**

**SIGNED:**

---

Richard Bend, Mayor

**RESOLUTION 2015-XX**

**ATTEST:**

---

Ronald J. Moorse, City Administrator

Motion by:

Second by:

Palmquist:

Richter:

Ross:

Nelson:

Bend:

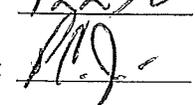
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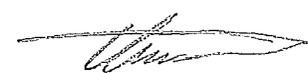
AUG 3 2015

2-27-15

CITY OF AFTON

CITY OF AFTON  
GRADING PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Traditional Ventures LLC	1987 Manning Ave. S.	Afton	MN	55001	651-271-3552
Applicant (if different than owner)	Address	City	State	Zip	Phone
Traditional Ventures LLC	1987 Manning Ave. S.	Afton	MN	55001	651-271-3552
Project Address		AFTON	MN	55001	
AG					
Zoning Classification	Existing Use of Property	PID# or Legal Description			
1802820220005	1802820220002				
Description of Request					
Land Restoration and Land Grading permit to construct a grassed waterway					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
Signature of Owner/Applicant 			Date 7/8/15		
Make checks payable to City of Afton:					
<u>FEES:</u>		<u>DEPOSITS:</u>		TOTAL: <del>2550.00</del> 850.00	
CUP	\$250	Grading Deposit	\$600	DATE PAID:	8/3/15
Grading	<del>\$100</del>		<del>\$1000</del>	CHECK #:	12258
				RECVD. BY:	
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

WCD may represent me as agent  7/8/15

