



COUNCIL WORK SESSION AGENDA

AFTON CITY COUNCIL CHAMBERS

3033 St. Croix Trail South

Monday, October 19, 2015

At 1:00 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA – October 19, 2015 Council Work Session**
- 4. CITY COUNCIL BUSINESS**
 1. Downtown Improvement Projects (including but not limited to the following items)
 - a. Business Liaison During Construction
 - b. Staging Planning
 - c. Council Member(s) to Provide Financial Oversight of Improvement Projects
 - d. Status of MPCA Permit
 - e. Status of Section 106 Process
 2. Deputies Facility Update
 3. Cartway Erosion Control Repairs
 4. Clarify Legal Status of Two Dwelling Units on One Lot at 3787 St. Croix Trail **(This discussion will occur in a closed session)**
 5. City Administrator Performance Evaluation **(This discussion will occur in a closed session)**
- 5. 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 Heritage Preservation Commission; Lower St. Croix Cable Commission; LSCWMO; MSCWMO; I-94 Corridor Coalition and the 5-City Mayor's Alliance.

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

Meeting Date Oct. 19, 2015

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moore, City Administrator
Date: October 15, 2015
Re: Business Liaison for Downtown Improvement Projects Construction

It is important to have a process to receive and respond to questions and concerns from businesses and residents during the downtown improvement projects construction. State law requires that public improvement projects have an assigned business liaison position to provide a communication channel between the businesses and the contractor. Washington County staff and their engineering consultant for the CR-21 reconstruction project-WSB have proposed a business liaison scope of services and budget for the downtown projects. The scope of services and budget are attached. The estimated cost over the two year construction period is \$259,612. This position and cost is not included in the project cost estimates. Afton's engineering consultant-WSB has included a part-time construction manager in its cost estimates for the construction phase of the Afton's downtown improvement projects. This position could, at least partially, meet the business liaison need. Washington County is also planning to fund a portion of the cost of the scope of services. Staff recommends discussion with both WSB and Washington County to clarify the priority elements of the scope of services and determine what portion of those elements can be met by the currently planned construction manager and how best to meet the remaining priority elements.

WSB Business Liaison Budget Assumptions

Overall

- Construction is assumed to take place for 30 weeks a year for two years.
- Hourly rates include an increase over the next two years.
- Monthly activities are for construction period only (8 months a year)
- Project assumes a \$20 million project (county road, levy, local roads and sewer)

Task 16.1: Project Management

Time is for Sean and Jack for oversight, billings and minor other coordination.

Task 16.2: Meetings/Phone Calls with County Staff

Time is for one meeting a month during construction, for a total of 16 meetings. Time for Jack and the planner is 4.5 hours per meeting with travel time. This includes 2 hours of travel, 1.5 for meeting, and 1 hour for prep/follow-up. Sean's time is to attend every other meeting for a total of 8 meetings. He is assigned 3.5 hours per meeting.

Time is also for a weekly call with county engineering staff. Jack will participate in one a month for a half hour. Planner/engineer will participate every week for a half an hour.

Intent of the meetings and calls is to keep engineering staff up to date. It would be helpful if construction supervisor could attend as well. Review call logs and how those were addressed, identify any schedule or hot topic issues. City staff would be invited as well.

Task 16.3: Initial Business Kickoff Meeting

Jack's time includes 5 hours for travel, meeting attendance, and set-up/take-down. It also includes a total of 8 hours for meeting prep and follow-up for her. Planner's time is the same 5 hours for meeting attendance and 16 hours of prep and follow-up time. GIS and Graphic time is for material development (postcard/mailings, boards, handout).

Intent of this meeting is to provide an overview of the process and to distribute construction packets. Packets include business questionnaire, key contact list, draft schedule, key activities, etc.

Task 16.4: Individual Meetings with Businesses Following Kickoff

This assumes one meeting with each business. It is assumed that there are 30 businesses.

Jack will attend the first day of meeting with business owners (up to 6). The planner/engineer will do the remaining meetings alone.

Each meeting is to be 1.5 hours. Each day includes up to six businesses, for a total of five days at 9 hours a day plus travel time. Prep and follow-up for each meeting includes an hour a person.

Jack is 20 hours; planner/engineer is 85 hours; graphics assistance is 10 hours.

Intent of these meetings is to fill out questionnaire, identify major activities of the business and parking needs, peak activity times, etc. Intended to answer questions and go over contact names, etc. Deliver construction packet if they did not attend the kickoff meeting.

Task 16.5: Quarterly Business Meetings

This task includes a total of 8 meetings over the course of the project. They are intended to provide a broad overview of the schedule, progress to date, concerns that have been addressed, any outstanding issues, etc.

Both Jack and the planner would attend. Meetings are assumed to be 1.5 hours plus 2 hours for travel time. Jack's time includes 1 hour prep/follow-up time per meeting and the planner's includes 2 hours for prep/follow-up.

It is requested that the county construction manager attend and design engineer as well.

Task 16.6: Attendance at AABA and Heritage Preservation Meetings

This task includes planner/engineer participation in up to 6 meetings of the AABA during the final design process of the project. This task also includes planner/engineer participation in up to 10 meetings of the AABA during the course of the project. Jack will attend the first and make introductions, etc. Sean will attend the additional meetings during final design. Time in this task includes 1.5 hours per meeting, 2 hours of travel, and 1 hour of prep/follow-up.

Meeting attendance would be as invited by the group for up to 10 meetings. County staff would be informed of meetings and invited to attend as well.

Task 16.7: Weekly Construction Meetings

This task assumes that a planner/engineer will be on site for 30 weeks a year. Time includes 1 hour for site visit with county construction manager prior to or following the meeting to take notes/get an update for web materials; 1 hour for the actual meeting; 2 hours of travel time; and half an hour for minutes. This equates to 4.5 hours a week for the planner. Jack's time is to cover up to 8 weeks as a back-up.

Task 16.8: Service Hours Following Construction Meeting

This task includes time to answer resident or business questions following the construction meeting. Times would be scheduled prior to the meeting as a follow-up or drop in. Time included is 1.5 hours per week for planner with Jack's time to cover up to 8 weeks as a back-up.

Task 16.9: Prepare Construction Packets, 800 Number and Database for Call Log

This task includes preparing packets for residents and businesses, setting up the 800 number and developing the database for tracking calls.

Task 16.10: Calls and Call Log Database Management

This task includes taking calls, updating the database and directing calls/tasks associated with the database. Up to 4 hours a week for telephone calls and 2 hours a week for database updates and task assignments.

Most hours are assigned to the planner/engineer, with Jack serving as back-up for 8 weeks.

Task 16.11: Festival Discussions

This task includes time for an annual meeting with the different festival group representatives to strategize construction and communications coordination. Each meeting is expected to be 3 hours, 2 hours of travel time, 3 hours of prep and follow-up. Time would be for Jack, a planner and Sean as needed.

Task 16.12: Coordination with School District

This task includes time to talk with the school district. One meeting a year for 1.5 hours, plus 2 hours travel time, plus one half hour prep. Jack will participate the first year with the planner, with the planner

handling the second year. Additional time for planner to coordinate updates that are needed as the project extends into the school year. GIS time to help with any maps for school/parents.

Task 16.13: Coordination with City Staff/Elected Officials

This task includes time for working/coordinating with city staff and city elected officials. City staff can be invited to the monthly updates with the county to address key concerns, but it is recognized that there may be additional questions as situations happen and as elected officials want answers to their questions. This task includes up to 8 hours a month for the planner/engineer and up to 2 hours a month for Jack.

Task 16.14: Prepare Press Releases/Media Information

This task includes preparing up to one press release a month or update to the press per month by the planner/engineer.

Task 16.15: Materials for Website

This task includes up to 2 hours a week for the planner to prepare materials that need to go onto the website, with Jack serving as back-up for 8 weeks. Time for graphics and GIS is for map updates and other random changes that may require their assistance. Updates are for the construction season.

This task assumes the current website will be used and that county staff will do the actual posting of materials. This task also assumes that the county will have a means for residents and businesses to sign up for weekly updates and that the process is built into the website. Information for people to sign up will be provided in the construction packets and in all meeting handouts.

Task 16.16: Open House Meetings

Because the task includes the public as well as the businesses, there needs to be additional outreach to the public to inform them of upcoming and ongoing construction activities. This task assumes two open house meetings – one prior to each construction season.

Each meeting is assumed to be 2 hours plus 2 hours for travel time, 2 hours for set-up and take down and follow-up activities. A total of 8 hours for those activities with each meeting.

Sean and Jack would get 4 hours per meeting for prep time with the planner/engineer getting 8 hours. Graphics would have 6 hours per meeting and GIS would get 2.

Task 16.17: Revised Exhibits for Staging/ Schedule and Project Information

This time represents effort required to update original exhibits and create new layouts for the project.

Washington County State Aid Highway 21
Construction Liaison Addendum #1



Task Description	Associate	Senior Project Manager	Planner/Engineer	CAD/GIS	Clerical/Graphics	Total Hours	Cost	Cost
16.0 Construction Liaison/ Public Information	136	456	1403	48	144	2,187	\$259,612.00	
16.1 Project Management	40	75				115		\$ 17,875.00
16.2 Meetings/Phone Calls with County Staff	28	80	104			212		\$27,952.00
16.3 Initial Business Kickoff Meeting		13	21	8	12	54		\$6,117.00
16.4 Individual Meetings with Businesses Following Kickoff (assumes 30 businesses)		20	85		10	115		\$12,990.00
16.5 Quarterly Business Meetings		36	44		8	88		\$10,860.00
16.6a Attendance at up to 6 AABA Meetings/ HPC Meetings -design	16	8	24			48		\$6,376.00
16.6b Attendance at up to 10 AABA Meetings	8	8	45			61		\$7,364.00
16.7 Weekly Construction Meetings (assumes 60 weeks - includes preparing summary)		36	270			306		\$34,668.00
16.8 Hours Following Construction Meeting (assumes 60 weeks)		12	90			102		\$11,556.00
16.9 Prepare Construction Packets, 800 Number and Database/Call Log		8	12	16	6	42		\$4,890.00
16.10 Calls and Call Log Database Management		48	360			408		\$46,224.00
16.11 Festival Discussions	8	16	16			40		\$5,456.00
16.12 Coordination with School District	4	4	20	8		36		\$4,372.00
16.13 Coordination with City Staff/Elected Officials		32	128			160		\$18,720.00
16.14 Prepare Press Releases/Media Information	4	4	16			24		\$2,980.00
16.15 Materials for Website		16	120	8	20	164		\$17,868.00
16.16 Open House Meetings (assumes 2)	24	24	32	8	24	112		\$13,728.00
16.17 Exhibits for Revised Staging/ Schedule/ Project Information	4	16	16		64	100		\$9,616.00
Total Hours	136	456	1403	48	144	2,187		
Rate	\$160.00	\$153.00	\$108.00	\$120.00	\$75.00			
Cost	\$21,760.00	\$69,768.00	\$151,524.00	\$5,760.00	\$10,800.00		\$259,612.00	\$259,612.00

Expenses	Cost
Expenses To be passed through to the county for mailings, telephone hotline, room fees, packet materials and other expenses as they arise. To be verified by county before expenditure.	
Total Expenses	

TOTAL COST	\$259,612.00
-------------------	---------------------

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

Meeting Date Oct. 19, 2015

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: October 14, 2015
Re: Staging Planning

The County and City Engineers have been working to develop a staging plan that both limits the amount of disruption to the local businesses and enables cost-effective construction. One of the goals is to complete the work on CR 21 in one year, while still minimizing business disruption, rather than have disruption on CR 21 for two years. Jane Krebsbach of Washington County is planning to attend the work session, and can provide an update on the staging planning process.

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

Meeting Date Oct. 19, 2015

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: October 14, 2015
Re: Council Member(s) to Provide Financial Oversight of Improvement Projects

In a recent discussion of finances related to the downtown improvement projects, it was suggested by the Council that one or two Council members should be involved in providing financial oversight of the improvement projects. The Council should determine which member(s) will be involved in the financial oversight of the projects.

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

Meeting Date Oct. 19, 2015

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: October 15, 2015
Re: Status of MPCA Permit for the Wastewater Collection and Treatment System

The final step in the issuance of the MPCA permit is a clarification of the State Historic Preservation Office (SHPO) comments regarding avoiding impacts to the Afton House during construction of the sewer line on 33rd Street, which is adjacent to the Afton House. SHPO has focused on the Afton House because it is listed on the National Historic Register. While the City's consultant historian has determined there will be no effects on the Afton House, SHPO staff misunderstood a comment in his report, which led to a SHPO recommendation regarding the location of the sewer line that is not feasible to follow. Staff has provided clarifying information to SHPO so that they can revise their comment, and has requested that the MPCA work with SHPO to expedite the issuance of the permit.

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

Meeting Date Oct. 19, 2015

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Mourse, City Administrator
Date: October 15, 2015
Re: Afton Boulevard Cartway Erosion Repairs

Background

The property owner adjacent to the cartway off Afton Boulevard did unauthorized grading of the cartway that changed the grade of the cartway and exposed a steep slope to potential substantial erosion. The City Engineer has inspected the cartway and has recommended erosion control repairs that have a cost of approximately \$12,000. The property owner who did the grading has been notified that he is required to make the erosion control repairs, but he is questioning the extent of the repairs. The property owner has also been advised that, if he does not complete the repairs, and the City chooses to make the repairs, he would be responsible for the cost of the repairs. It is important that the repairs are completed this fall, so that they are in place for the spring rains next year. If the City makes the repairs, the City would initially make payment to the contractor, then invoice the property owner. In the case that the property owner would not pay the invoice, the City could assess the cost to his property.

Staff is requesting direction from the Council regarding whether the City should make the erosion control repairs if the property owner does not make the required repairs in a timely manner. This item is also on the October 20 Council meeting agenda to enable the Council to take a formal action.

The City Attorney has been invited to attend the work session to address questions regarding the City's ability to assess the costs of cartway repairs to the adjacent property owner. The City Attorney has a conflict, but may be able to resolve the conflict so that he can attend the work session. If the City Attorney is unable to attend the work session, the Council may want to discuss this item further at the October 20 Council meeting.

Council Direction Requested

Provide direction regarding the City making the required erosion control repairs to the Afton Boulevard cartway if the property owner does not make them in a timely manner, and obtaining payment for the repairs from the property owner.

CONFIDENTIAL

Minnesota Department of Natural Resources

DNR Waters, 1200 Warner Road, St. Paul, MN 55106
Telephone: (651) 259-5802 Fax: (651) 772-7977



July 25, 2008

Mr. Jim Norman
City of Afton
3033 St. Croix Trail
Afton, MN 55001

RE: Charles Johnson Property 3787 St. Croix Trail

Dear Mr. Norman:

The DNR met with the Charles Johnson and city officials in 2007 to discuss the approximately 18-acre site that has two dwelling units on it. One of the units is right on the bluffline above the Schneider home on River Road. We discussed a number of issues and I emphasized the problem of subdividing out the dwelling on the bluff. I informed them that they could not split out a separate parcel unless they could create a conforming lot.

In June, I met with Mr. Johnson and a realtor, Sharon O'Flanagan, at the site to clearly go over the issues with development or redevelopment of the property. The realtor said that it was priced to sell and would likely turn over quickly and she was interested in hearing what the Minnesota restrictions were. Besides the discussion about what can be done to the structure with and without variances, we also discussed the lot size. I again reiterated that the parcels could not be split without creating a conforming lot. Last week a potential buyer asked me to meet him at the property to discuss the possibilities because he has heard conflicting information. He had a drawing that showed a 1.3 acre parcel drawn in with river frontage.

The Washington County parcel inquiry website shows only one large lot belonging to Mr. Johnson. We are questioning whether the property has been subdivided and if the city is aware of it. Per the Bluffland regulations, a conforming lot is 2.5 acres with a 200' lot width both at the building line and of river frontage. Afton lot size may be even more restrictive. If there is not 200 feet of frontage, a variance would be required and approved by both the city and the DNR. I do not recall seeing anything on this property until last week.

Please research the property file to determine what has been done to create the second parcel and inform me as to the results. If proper procedure has not been followed and the city has not approved a new subdivision, it would be wise to intervene now before the property is sold. There is already interest from several potential buyers. I'm not sure how property can be sold without subdivision. I know that typically cities don't involve themselves with the private sale of property. There is currently a similar adjoining lot split situation about to go to the court of appeals, and it would be nice if we could prevent another "buyer beware" conflict.

If you have any questions or need more information, please contact me at 651-259-5802 for assistance.

Sincerely,


Molly Shodeen
Area Hydrologist

c: City of Afton, City Council and City Attorney
City of Afton, Duane Stenslund

Chuck Marohn, City Planner
Charles Johnson

www.dnr.state.mn.us

AN EQUAL OPPORTUNITY EMPLOYER



PRINTED ON RECYCLED PAPER CONTAINING A MINIMUM OF 10% POST-CONSUMER WASTE



RECEIVED

MEMORANDUM

Date: 9/17/2008

To: Jim Norman, City Administrator

SEP 22 2008

From: Alec Nord, City of Afton

FILE

3787 St. Croix Tr

Re: Violation 08-0136. Charles Skip Johnson

Jim, per the request of the Planning Commission/City Council we are forwarding you the information we have on a reported violation (08-0136).

- Violation was reported by the MN DNR (Molly Shodeen).
- Metes & Bounds improper subdivision of land
 - Letter has been sent by the DNR to the City indicating if the lot split goes through and the land is sold to another owner, the DNR will sue the City.

City of Afton

CONFIDENTIAL

INVOICE

3033 St.Croix Trail S
P.O. Box 219
Afton, MN 5501-0219
Phone 651-436-5090 Fax 651-436-1453

DATE:
December 1, 2011

INVOICE #
JOHN-3787

Bill To:
Charles Johnson
3787 St. Croix Trail South
Afton, MN 55001

For:
Outstanding charges related to
Lot Division issue

DESCRIPTION	AMOUNT
Outstanding amount owed to the City for professional services related to a lot division.	
Charges for Planner Services: CGI Invoices	
Aug-08	\$534.00
Sep-08	\$22.25
Oct-08	\$44.50
Charges for Legal Services: Jensen, et al Invoice	
Sep-08	\$846.00
Please remit by December 31, 2011.	
Thank You!!	
TOTAL	\$1,446.75

Make checks payable to: **CITY of AFTON**

Mail to:
City of Afton
3033 St. Croix Trail South
P.O. Box 219
Afton, MN 55001

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

Meeting Date Oct. 19, 2015

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moore, City Administrator
Date: October 14, 2015
Re: City Administrator Performance Evaluation

The City Administrator performance evaluation has been included at the end of the agenda for the October 19 work session. The performance evaluation form can be used to guide the discussion.