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

**APPROVED** City Council Regular Meeting Minutes  
January 16, 2018  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001  
7:00 P.M.

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1. **THE MEETING WAS CALLED TO ORDER** at 7:00 P.M. by Mayor Richard Bend

2. **THE PLEDGE OF ALLEGIANCE** – was recited.

3. **ROLL CALL:** Mayor Richard Bend, Council Members Richter, Palmquist, Ross. **Quorum Present.**  
**Absent: Nelson**

**ALSO PRESENT:** Nick Guilliams, (City Engineer), City Administrator Ron Moorse, City Attorney Fritz Knaak, City Accountant Tom Niedzwiecki (for last portion of the meeting), City Clerk Julie Yoho, Planning Commission member Lucia Wroblewski.

4. **APPROVAL OF AGENDA** – [some agenda items were discussed out of sequence]

A. Agenda for the Regular City Council Meeting of January 16, 2018

Add items: c12. “Election judges”; c13 “Invoice for deputies facility”; c14 “Lights at city hall”;

Add item to beginning of agenda: “Representative Tony Jergens”

**Motion/Second: Palmquist/Richter To approve agenda as amended. Passed 4-0.**

Representative Jergens introduced himself and will be in touch again prior to the session.

5. **APPROVAL OF MINUTES**

A. Minutes of the December 19, 2017 Regular City Council meeting.

**Motion/Second: Bend/Ross To approve minutes of the December 19, 2017 Regular City Council Meeting. Passed 4-0.**

B. Minutes of the December 5, 2017 City Council Work Session

**Motion/Second: Ross/Richter To approve minutes of the December 5, 2017 City Council Work Session. Passed 4-0.**

C. Minutes of the December 5, 2017 Special City Council meeting

**Motion/Second: Palmquist/Ross To approve minutes of the December 5, 2017 Special City Council meeting. Passed 4-0.**

D. Minutes of the December 11, 2017 City Council Work Session

**Motion/Second: Ross/Richter To approve minutes of the December 11, 2017 City Council Work session. Passed 4-0.**

6. **PUBLIC INPUT** –

Julie Ziedel, 3055 St Croix Trail. Expressed concern about lights in city hall parking lot shining bright into her house.

David Husebye, 5830 Osgood Ave Ct S. Expressed concern over potential paving of 60<sup>th</sup> street as result of the proposed Carlson development. The traffic study was based on unpaved roads. Once paved, there will be

54 a change in volume and speed. There will be a noise issue with motorcycle traffic if paved. Also a portion  
55 of the road is more mud than gravel and seems to have water moving under it. Questions need to be answered  
56 prior to paving. (Section heading west between culvert to Oakgreen into Denmark township.  
57

58 **7. REPORTS/PRESENTATIONS -**

59 **A. Sheriff's Monthly Report**  
60 No report  
61

62 **B. Tom Niedzwiecki, Budget Report**

63 Tom provided information on the financial report and supplemental detail of expenses paid out in in  
64 December. Downtown project funding has been received from the County, DNR and from the PFA.  
65

66 **C. Lower St. Croix Fire District Report**

67 Mayor Bend reported that he attended an award ceremony for the group and he is pleased with their efforts  
68 and services  
69

70 **D. Natalie Warren – St Croix River Association**

71 Natalie provided an overview of the groups projects. They've produced a best practices for zoning booklet  
72 which provides guidelines for property owners looking to change their property. Also a suggested  
73 earthtone color book for reference. On May 5 event there will be a "birds and bikes" event in town. More  
74 information will be posted on the events schedule and Facebook.  
75

76 **8. CONSENT AGENDA**

77 **Motion/Second: Palmquist/Richter To approve Resolutions 2018-01 through 2018-05. Roll call, all aye.**  
78 **Passed 4-0.**

79 **A. Just and Correct Claims**

80 **B. 4M Fund Transfer – December – Resolution 2018-01**

81 **C. Renew 4M Joint Powers Agreement – Resolution 2018-02**

82 **D. Designate official depository – Resolution 2018-03**

83 **E. Designate Official Newspaper – Resolution 2018-04**

84 **F. 2018 Regular Meeting Schedule – Resolution 2018-05**  
85

86 **9. CITY COUNCIL BUSINESS**

87 **A. Planning Commission Report – (PC Chair report & Draft PC minutes)**

88 1. Comprehensive Plan update

89 PC member Wroblewski reported that the Comprehensive Plan was reviewed and changes will be  
90 reflected in final draft with the public hearing scheduled for the February meeting.  
91

92 2. Afton Creek Preserve PLCD Subdivision Application

93 Administrator Moorse provided the following information: At the January 8 Planning Commission  
94 meeting, Chair Ronningen requested that the Afton Creek Preserve PLCD subdivision application be  
95 added to the meeting agenda and proposed a motion to deny the application, or alternatively to ask the  
96 applicant to withdraw his preliminary plat application with refund of any application fees not used by  
97 the city and resubmit an application with one proposed preliminary plat drawing that meets the City of  
98 Afton's ordinances without the need for a rezoning or variances. The motion and a set of findings on  
99 which the motion was based were provided to the Commission members for their review and discussion.  
100 The minutes of the Planning Commission meeting, which include the motion and findings, are included  
101 in the agenda packet.

102 After discussion by the Commission members and revisions to the proposed findings, the Planning  
103 Commission, on a vote of 8-0-0, approved the motion for denial or withdrawal of the Afton Creek  
104 Preserve PLCD subdivision preliminary plat application.  
105

106 Council member Palmquist stated he was surprised that this item was added to the agenda on the day of  
107 the meeting with no notice.  
108 PC member Wroblewski stated that the Chair made the change in the agenda, however the commission  
109 has had the same concerns for a while.  
110 Council member Richter stated that the findings had been brought up by the PC repeatedly for a long  
111 time and hadn't been answered. Process has been handled differently from the beginning and was  
112 frustrating for the planning commission.  
113 Mayor Bend stated there is a procedural issue regarding the action and a substance issue with the  
114 findings.  
115 Council member Ross stated he would like further discussion on the procedural question  
116 Mayor Bend stated that the procedures call for written agendas to be mailed out 5 days prior with  
117 Agenda and materials available to the public.  
118 City Attorney Knaak stated that is correct. The City Ordinance calls for posting ahead and he'd suggest  
119 when dealing with a major project careful attention is needed. He'd suggest the matter be placed on the  
120 agenda for the planning commission to revisit. They don't need to discuss again, but place on the  
121 agenda. The Council has the right to add items onto the agenda, but there is nothing in the Ordinance  
122 that gives the planning commission the same authority.  
123 Council member Richter asked for clarification that the planning commission can't make any changes to  
124 their agenda?  
125 City Attorney Knaak answered that the ordinance doesn't allow. The City Council can.  
126 **Motion/Second Palmquist/Ross to send the Afton Creek Preserve Application back to the**  
127 **Planning Commission for proper posting on the agenda. Passed 4-0**  
128  
129

130 **B. Engineering Report – (Engineer Staff Report & Council Update)**

131 1. Downtown Village Improvement Project

132 City Engineer Guilliams reported that there are a few items yet to finish. Recommended a work session  
133 to discuss the 30<sup>th</sup> Street core samples and what comes next.

134 Administrator Moorse reported that shields have been placed on two of the downtown lights on the  
135 east side. Council member Ross suggested extending the shield from its current position if needed. In  
136 the parking lot, perhaps adjust to direct light.

137 Guilliams said that Xcel was going to put in lower watt lights  
138

139 2. Change order #8 for the Downtown Village Improvement Project

140 Administrator Moorse explained that the change order is for the sanitary sewer service work at the  
141 Mulle (Afton Leather) property to avoid impacts to the effigy mound. The sanitary sewer connection  
142 at the Mulle property had been at the rear of the property, which is in the buffer area of the  
143 Rattlesnake Mound. To avoid disturbance to the buffer area, the internal plumbing of the Mulle  
144 building had to be re-directed out the side of the house to be connected to a new sewer line at the  
145 north side of the property. The cost for the plumbing work and connection was \$7,007.00.

146 **Motion/Second Bend/Ross To approve Change Order No., 8 to the Downtown Village**  
147 **Improvement Project, in the amount of \$7,007.00.**

148 Discussion

149 Council member Palmquist asked for more explanation

150 Engineer Guilliams explained it is for the re-plumbing and connection. The connection is eligible for  
151 reimbursement through the BWSR grant. This was an eligible property.

152 Mayor Bend stated that the City is obligated to pay the connection cost.

153 **Vote: Motion Passed 4-0**  
154

155 **C. Administration –**

156 1. 2018 Appointments – Resolution 2018-06

157 Mayor Bend led discussion was held on whether to rotate appointments every year as put into place last  
158 year. Council members are to act as liaisons and not participate extensively or steer the discussion. Council  
159 members Ross and Palmquist indicated they like rotation but perhaps 2 year appointments would be better.  
160 Council member Richter pointed out that Nelson has never been liaison for the Planning Commission. He  
161 is happy to stay for another year; tries to provide history and guidance.  
162 Council member Ross pointed out that there is a wide variety in each of these as to council's participation.  
163 Mayor Bend agreed there is a distinction between a policy committee vs. other committee. In many cities  
164 council members chair the committees.  
165 Council member Palmquist indicated the Great Rivers Coalition has been meeting during the day and he  
166 cannot attend; have to change.

167 Advertise for Yellow Ribbon Coalition member in newsletter.

168 **Motion/Second Bend/Palmquist To approve Resolution 2018-06 for the 2018 Annual Appointments**  
169 **with change for the Great Rivers Coalition to be Ross.**

170 **Roll call: all aye Passed 4-0**

171  
172 2. Paperless Agenda Packet Technology for Council Members

173 Administrator Moore reported that at its December 19, 2017 meeting, the Council discussed providing  
174 each Council member with a device to enable the Council meeting packets to be provided to the Council  
175 electronically rather than as hardcopies. Several types of devices were discussed. These included a  
176 tablet, a laptop and a Chromebook. In determining the necessary technology, it is necessary to determine  
177 the range of uses the new technology needs to serve. On one hand, if the only use is to download the  
178 agenda packet from the City's website and access it in preparation for or at the Council meeting, a  
179 Chromebook (with a keyboard but without a windows operating system or the Microsoft Office Suite  
180 software) would be sufficient at a very low cost. However, if the Council members want to be able to  
181 use Word, Excel or Outlook, either a laptop or a tablet would be required to do that or do it most easily.

182  
183 Council member Palmquist stated he would lean toward a Chromebook for cost and ease of use

184 Council member Ross suggested running a pilot project – get one and let someone use it and see how it  
185 goes.

186 Council member Richter stated that he prefers paper and that Council members should be able to decide  
187 if they want paper

188 Council member Ross pointed out that the packet needs to be bookmarked

189 Council member Palmquist stated he is in favor of, have print hardcopy available if wanted

190 Council member Ross volunteered to compare and test and report back.

191 **Motion/Second Bend/Palmquist To authorize purchase of one Chromebook to be tested by Council**  
192 **member Ross with results reported back. Passed 4-0.**

193  
194 3. Mayor Attendance at League of MN

195 Administrator Moore reported that Mayor Bend is requesting authorization from the Council to attend  
196 the Experienced Officials 2018 Leadership Conference being provided by the League of Minnesota  
197 Cities. The focus of the conference is on communication in challenging situations. Attached is an  
198 outline of the conference and an agenda for the conference. The cost of the conference is \$225.

199 **Motion/Second Ross/Richter To approve Mayor Bend attendance at the 2018 Leadership**  
200 **Conference at the cost of \$225.**

201  
202 4. Reappointment of Bake Baker to an additional term on the Natural Resources and Groundwater  
203 Committee

204 Administrator Moore explained that Bake Baker was initially appointed to fill an unexpired term on the  
205 Natural Resources and Groundwater Committee that expired on December 31, 2017. He has indicated he  
206 is interested in being reappointed to serve a full three-year term on the Committee.

207 **Motion/Second Bend/Ross To reappoint Bake Baker to an additional term on the Natural Resources**  
208 **and Groundwater Committee. Passed 4-0.**

209

210 5. Designate City Attorney - Resolution 2018-07

211 **Motion/Second Richter/Bend To adopt of Resolution 2018-07 designating the firm of Holstad and**  
212 **Knaak as the City Attorney and Prosecuting Attorney.**

213 Discussion

214 Council member Palmquist stated that the council could look at the pay rate next year and expressed thanks  
215 for keeping it the same for this year.

216 **Roll call: all aye, Passed 4-0**

217

218 6. Designate City Engineer – Resolution 2018-08

219 **Motion/second Bend/Palmquist To adopt of Resolution 2018-08 designating the firm of WSB as the**  
220 **City Engineer. Roll call: All Aye, Passed 4-0**

221

222 7. Designate Official 2017 City Signatories for Payroll and Checks - Resolution 2018-09

223 **Motion/Second Palmquist/Ross To adopt Resolution 2018-09 designating the official signatories for**  
224 **payroll and checks. Roll call: All aye, Passed 4-0.**

225

226 8. New Animal Impound Provider Needed

227 Administrator Moore reported that the Hillcrest Animal Hospital, the City's current animal impound  
228 provider, has notified the City that, after February 28, 2018, it will no longer be providing animal  
229 impound services. Afton's contracted Animal Control Officer has contacted a large number of possible  
230 impound facilities in the area, including veterinary hospitals and the Woodbury Humane Society, and all  
231 have indicated that either they are not interested in providing the impound service or they are not taking  
232 any new clients. The Animal Control Officer did find a kennel near New Richmond, Wisconsin that may  
233 be a possibility, at least until a closer option can be found. Staff will contact the kennel to determine if it  
234 could be a workable solution. Staff will also continue to work to find other options, with the goal of  
235 providing a recommendation, along with a service agreement, at the February Council meeting, so that a  
236 new impound provider can be in place by February 28.

237

238 9. Pay Equity Report

239 Every three years, the City is required to submit a Pay Equity Report to the State to ensure the City is  
240 meeting the requirements of the Pay Equity Act. Attached is the Pay Equity Implementation Form and  
241 the 2017 pay structure data that will be provided to the State. The report will be reviewed by the State to  
242 ensure the City's compliance. Once the report is approved by the Council, the report will be signed by  
243 the Mayor, submitted to the State and posted on the official bulletin board in the City Offices.

244 **Motion/Second Bend/Palmquist To approve the City's Pay Equity Report. Passed 4-0**

245

246 10. Pay Voucher No. 9 from Geislinger and Sons Inc.

247 Administrator Moore explained that Pay Voucher No. 9 from Geislinger and Sons, Inc. is for the  
248 Downtown Village Improvement Project in the amount of \$720,330.72. This Pay Voucher has been  
249 provided to both Washington County and the PFA for reimbursement of portions of these costs.

250

251 **Motion/Second Palmquist/Richter To approve the payment of Pay Voucher No. 9 from Geislinger**  
252 **and Sons, Inc. for the Downtown Village Improvement Project in the amount of \$720,330.72.**  
253 **Passed 4-0.**

254

255 11. Schedule work session

256 Administrator Moore stated that the Council has identified a number of items for discussion at a work  
257 session. These include the following:

258 -Expansion of the City’s well testing program beyond testing for nitrates to include testing for PFC’s and  
259 other chemicals  
260 -Pennington Avenue sewer connections  
261 -Request for Proposals (RFP) processes for consultant services in 2018  
262 A work session will be scheduled.  
263 Council member Palmquist stated that he would like information on Pennington prior to work session.  
264

265 12. Resolution for Election Judges

266 **Motion/Second Bend /Palmquist To adopt Resolution 2018 – 10 appointing election judges for the**  
267 **January 29, 2018 and February 12, 2018 Primary and General Senate District 54 Special Elections.**  
268 **Roll call: all eye, passed 4-0.**  
269

270 13. Invoice for Deputies Facility and discussion of cost

271 Invoice No. 1549 from Douglas Kropelnicki Construction, Inc. for the Deputies Facility, in the amount of  
272 \$56,327.44, was received on January 16. The invoice is being requested for consideration by the Council  
273 at this time, rather than delaying payment until the February Council meeting. Because the invoice was  
274 only recently received, the City Engineer is recommending that 10% of the total contract price of  
275 \$159,727.44 be withheld as a retainer until all items are complete and accepted by the City. This leaves  
276 \$40,354.70 to be paid at this time.

277 **Motion/Second Palmquist/Richter To approve payment of invoice No. 1549 from Douglas**  
278 **Kropelnicki Construction, Inc., less withholding of a retainer of 10% of the total contract price, for**  
279 **a total payment of \$40,354.70. Passed 4-0.**  
280

281 Administrator Moore discussed bathroom in the deputies’ garage. It has been roughed in, a finished  
282 bathroom was not in the original plan. Cost estimate is \$8500 to install.

283 Council member Palmquist asked what needs to be done

284 Council member Ross replied the walls, plumbing & fixtures

285 Mayor Bend indicated there will also be connection costs

286 Council member Palmquist asked if Ken and the City employees would use?

287 Administrator Moore replied that it is primarily for the deputies

288 Council member Richter stated that the County should do this

289 Council member Palmquist stated that the City will provide water and sewer connection, inform the County  
290 about the remaining costs for restroom  
291

292 14. Replacement of Lights at City Hall

293 The security light and flag light at the City Hall entrance are both in need of replacement. The light for  
294 the flag does not provide adequate light to meet the requirements for flying the flag during evening hours.  
295 Ken Johnson, Public Works Supervisor, has obtained two price quotes for the replacement of the two lights.  
296 The price quotes are \$758.50 from Kendrick Electric and \$550 from Freeway Electric. Staff is  
297 recommending the Council approve the price quote of \$550 from Freeway Electric.

298 **Motion/Second Palmquist/Bend To approve the price quote of \$550 from Freeway Electric for the**  
299 **replacement of the security light and flag light at the City Hall entrance. Passed 4-0.**  
300

301 **D. Committee Reports**

302 1. Public Works – 30<sup>th</sup> street discussed

303 2. Personnel – no report

304 3. Parks – no report

305 4. Heritage Preservation Commission / Design Review – no report

306 5. Natural Resources and Groundwater – no report  
307

- 308 **10. COUNCIL, CONSULTANT, AND STAFF REPORTS, ANNOUNCEMENTS, AND UPDATES**  
309 A. Ward 1 Council Member Palmquist – no report  
310 B. Ward 2 Council Member Richter – no report  
311 C. Ward 3 Council Member Ross – Public Works worked on Christmas and Labor Day this year; needs to  
312 acknowledged. Mayor Bend is working on this along with the Personnel Committee.  
313 D. Ward 4 Council Member Nelson – not present  
314 E. Mayor Bend – no report  
315 F. City Attorney Knaak – no report  
316 G. City Administrator Moorse – no report  
317

318 **11. ADJOURN –**  
319 **Motion/Second Bend/Richter To adjourn. Passed 4-0**

320 Meeting adjourned at 9:33pm  
321  
322

323  
324 Respectfully submitted by:

325  
326  
327 JY

328 Julie Yoho, City Clerk  
329  
330

331  
332 Approved by Council (February 20, 2018) as (check one): Presented:  X  Amended: \_\_\_\_\_  
333

334  
335 Mayor Richard Bend \_\_\_\_\_ Date \_\_\_\_\_  
336  
337

**ATTACHMENT A**  
**2018 City of Afton Annual Appointments**

Item	CITY OF AFTON	2017 APPOINTMENTS PRIMARY / ALTERNATE	2018 APPOINTMENTS PRIMARY / ALTERNATE
1	Mayor Pro Tem	Ross	Ross
2	Planning Commission Liaison	Richter/Bend	Richter/Bend
3	Design Review/Heritage Preservation Commission Liaison	Bend	Bend
4	Emergency Preparedness	Ross/Bend	Ross/Bend
5	Finance Committee	Richter Ross Moorse Niedzwiecki	Richter Ross Moorse Niedzwiecki
6	Parks Committee	Ross Palmquist	Ross Palmquist
7	Personnel Committee	Nelson Bend	Nelson Bend
8	Public Works Committee	Richter Ross	Richter Ross
9	Technology and High Speed Internet Access Committee	Ross Nelson	Ross Nelson
10	NRGC	Palmquist	Palmquist
11	Branding Committee	Ross	Ross
12	City Weed Inspector	Bend	Bend
13	City Forester	Tim Power	Tim Power
	<b>COMMUNITY</b>	<b>2017 PRIMARY / ALTERNATE</b>	<b>2018 PRIMARY / ALTERNATE</b>
14	Lower St. Croix Valley Cable Representatives	Nelson/Bend	Nelson/Bend
15	St. Croix Valley Alliance	Bend	Bend
16	MSCWMO Representative	Annie Perkins	Annie Perkins
17	I-94 Corridor Coalition --TAC	Nelson / Palmquist Moorse	No Longer Needed
18	Yellow Ribbon Network		
19	LSCV Fire Protection District Board Representatives	Bend Nelson / Alt. Richter	Bend Nelson / Alt. Richter
20	Lower St. Croix Partnership Team	Palmquist	Palmquist
21	Washington County Groundwater Advisory Committee	Bend	Bend
22	Washington County Water Consortium	Bend	Bend
23	Great Rivers	Palmquist	Ross