

SUPPLEMENTAL PACKET

Prepared on 4-17-18

4-17-18 CC (2nd Supp.)

9.A.1

Additional conditions:

1. The final plat shall contain as built house locations and residential site grading plans.
2. The final plat maps shall show septic sites conforming to Afton's ordinance requirements including but not limited to setback requirements.
3. The homeowner's association restrictive covenants shall contain a provision that in the event the homeowner's association becomes insolvent or ceases operating control shall at its option be transferred to the city of Afton or another method of succession shall be dictated by the City.
4. The homeowner's association documents shall contain a waiver of assessment appeal running in favor of the city.
5. The provision in the homeowner's association restrictive covenants allowing changes in lots upon the vote of 2/3 of the residents shall be changed to comply with Afton's requirements.
6. The public walking paths shall be added to the plat maps.
7. The city of Afton shall be a named insured on the homeowner association insurance policy and the policy shall cover those risks identified by the city, including but not limited to coverage for personal injuries and any other losses occurring as a result of the public use of the walking trails on the conservation area.
8. The homeowner's association shall be required to indemnify and hold the city of Afton harmless from all losses incurred as a result of the public's use of the conservation area walking trails.
9. Covenant amendment provisions in the homeowner's restrictive covenants permitting changes after a certain number of years have passed shall be amended to remove the current conflict with restrictions on future subdivision of PLCD lots and other provisions of Afton's ordinances.
10. Architectural controls shall be removed from the homeowner's association restrictive covenants.
11. Prairie Restoration shall be the vendor planting the conservation easement and the initial planting of all residential lots with a seed mix matching the one submitted with the preliminary plat application.
12. The reference to a lot 20 shall be removed from the final plat documentation.
13. Provisions on setbacks shall be removed from the homeowner's restrictive covenants and Afton's restrictions shall control.
14. The provisions restricting certain pets shall be removed from the homeowner's restrictive covenants; Afton's ordinances shall control pets.
15. Residential lots shall be subject to perpetual easements in favor of the other lot owners in the development and the city of Afton requiring that 60% of each lot remain planted in natural prairie and appropriate language shall be inserted in the homeowner's association documents to insure enforcement of maintenance of these prairie areas.
16. All bid documents received by the developer must be approved by the City's engineers prior to acceptance.
17. No work shall commence until the final plat has been approved.
18. The letter of credit securing performance shall include amounts necessary to pay the city's engineers for on-site monitoring, review of plans and specifications and intermediate and final certifications of completion required prior to all final releases.

19. All fund releases shall be based on completion of plans and specifications and sign-off by the city's engineers.
20. The final release of funds shall not occur until all improvements in the development, including construction of homes and accessory structures on all lots, has occurred.
21. The development agreement shall be personally guaranteed by Wil Carlson in a form acceptable to the city.
22. Costs of completion shall be calculated based on an assumed annual 4%, year over year, with provision for a 10-year build-out.
23. The final plat application shall include estimated initial costs including but not limited to grading, surface water controls and roads and also a final cost estimate, both of which shall be subject to approval by the city's engineers.
24. No final plat approval shall occur until both the development contract and the tri-party agreement between the developer, the city and the Minnesota Land Trust has been executed by all parties.
25. Plat improvements and off-site improvements shall be separately secured by separate letters of credit.
26. The city accepts and adopts the attached conditions proposed by the developer in its letter of April 12, 2018.

Additional Findings:

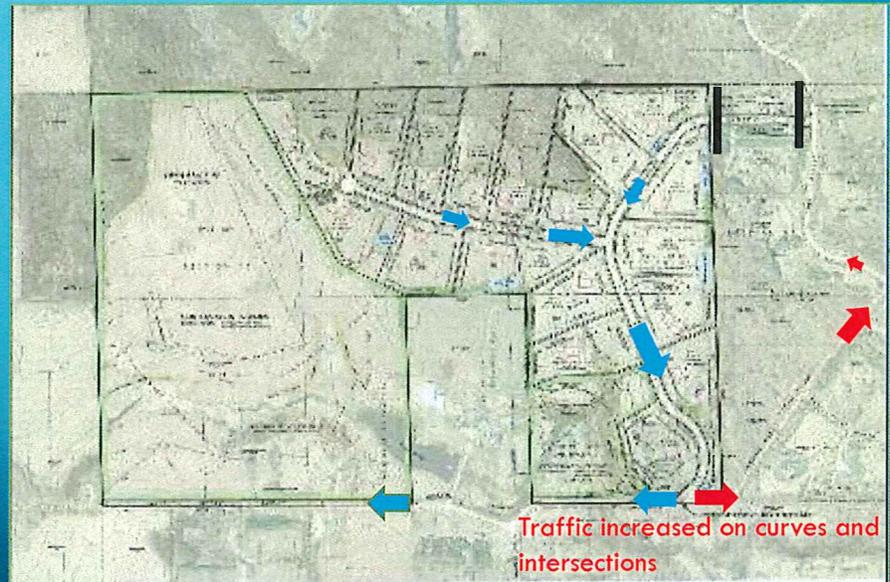
The condition requiring the developer provide an access to the development through the Odell parcel mitigates impacts on the neighborhood by satisfying the public need to distribute and dilute traffic from the development onto multiple streets, thereby reducing the volume of traffic on individual streets. It also diverts traffic away from streets less capable of handling higher traffic volumes to 60th Street.

Requiring the developer to pave 60th Street from Trading Post to Neal Avenue assists in diverting the development's increased traffic flows away from narrow winding roads onto 60th Street which is an open, straight road, thereby enhancing public safety and facilitating efficient traffic flows. Paving the road will encourage development residents to utilize its direct route to the high density metropolitan areas to the west of the development in preference to using the winding, narrow neighborhood roads.

TRAFFIC: WITHOUT REQUIRING EXTERIOR ROAD CONSTRUCTION

Single exit on Trading Post:

1. North-bound traffic would be shunted to curves
2. Traffic would be increased at intersections
3. Left hand turn would be next to a curve



- Architectural controls
- Use of common properties
- Prohibited uses
- Water maintenance/management

Homeowner's association-related issues should be subject to further comment by the City Attorney.

Planning Commission Recommendation. The Planning Commission did not make a recommendation specific to the conditional use permit because the recommendation for denial of the preliminary plat resulted in denial of the conditional use permit application.

Resolutions. Attached as Exhibit BB is a resolution of denial of the CUP reflecting the Planning Commission's recommendation, and a resolution of approval, for the Council's consideration.

RECOMMENDATION

At the City Council's March 20, 2018 meeting, the Council approved the applicant's rezoning request. In addition, the Council determined that it will not accept the dedication of the five-acre 5550 Odell Avenue parcel as parkland. Formal action on the preliminary plat and conditional use permit (to allow a PLCD) applications were however, tabled. Thus, formal action on such applications is necessary.

The proposed preliminary plat design reflects an attempt by the applicant to respond to received feedback and eliminate necessary variance approvals. Unlike the previous plat submission, no variance approvals are required. As indicated above, the proposed Odell Avenue street right-of-way dedication and connection is critical to the intended functioning of the PLCD subdivision.

If the City is inclined to accept the Odell parcel public road right-of-way dedication, Planning Staff recommends the following:

- A. Approval of the submitted Afton Creek Preserve preliminary plat subject to the following conditions:
 1. Access and traffic related issues shall be subject to review and approval by the City Engineer.
 2. The Odell Avenue right-of-way be dedicated to the City prior to City approval of the Afton Creek Preserve final plat.
 3. The City Council confirm that the proposed cul-de-sac length (1,700 feet), within the context of a PLCD, is considered acceptable.

Summary of Comments on Pages from 18-04-17 Packet_City_Council_Regular_Meeting-2.pdf

Page: 1

Number: 1	Author: Owner	Subject: Inserted Text	Date: 04/17/2018 5:30:57 PM
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Move number 3 to findings.

4. Street-related issues  including but not limited to right-of-way width, shall be subject to further comment and  recommendation by the City Engineer.
5. The acceptability of the drainage and utility easement within Lot 4, Block 3 and related maintenance responsibilities shall be subject to further comment and recommendation by the City Engineer.
6. The plat drawing shall be modified such that the side lot lines of Lot 2, Block 3 shall be drawn substantially at right angles to straight street lines and radial to curved street lines.
7. The two open space parcels shall be designated as outlets.
8. The applicant identify the proposed ownership and management of the conservation areas. This issue should be subject to further comment and recommendation by the City Attorney.
9. The applicant provide explanation (acceptable to the City) regarding the lack of proposed front yard tree plantings for Lot 8, Block 2.
10. In accordance with the submitted seeding plan, pre-development seeding with a prairie grass/wildflower mix shall be provided on all lots and on the open space parcels. Maintenance responsibilities associated with the seeded areas shall also be addressed by the applicant (to the satisfaction of the City).
11. Wetland-related issues shall be subject to further comment and recommendation by the City Engineer.
12. The proposed 20-foot wide access easement width between Lots 5 and 6, Block 2 shall be determined acceptable to the City Engineer and/or Fire Chief.
13. Easements for drainage and utilities shall be provided over individual lots as recommended by the City Engineer.
14. The City Engineer and/or Washington County Department of Public Health provide comment and recommendation regarding the need to update the previously provided soils report to correspond to the updated plat drawing.
15. Review of proposed septic designs and final septic permits shall be received from Washington County prior to building permit approval.
16. City Officials determine desired park land dedication and/or equivalent cash contribution requirements .
17. The applicant shall pave 60th Street from Trading Post Trail to Neal Avenue.
18. The farm access shall be prohibited as a construction thoroughfare or road

Page: 2

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- | | | | |
|-----------|---------------|----------------------|-----------------------------|
| Number: 1 | Author: Owner | Subject: Sticky Note | Date: 04/17/2018 5:35:48 PM |
|-----------|---------------|----------------------|-----------------------------|
- delete "issues" and replace with "designs and specifications" and add to the end of the sentence: "to insure they meet Afton's standards."
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- | | | | |
|-----------|---------------|----------------------|-----------------------------|
| Number: 2 | Author: Owner | Subject: Sticky Note | Date: 04/17/2018 5:37:11 PM |
|-----------|---------------|----------------------|-----------------------------|
- replace "comment and recommendation" wherever they appear in this document with "review and approve"
-
- | | | | |
|-----------|---------------|----------------------|-----------------------------|
| Number: 3 | Author: Owner | Subject: Sticky Note | Date: 04/17/2018 5:38:27 PM |
|-----------|---------------|----------------------|-----------------------------|
- Replace this whole paragraph with "A park dedication fee in the amount of \$100,000 prior to approval of the final plat."

during development of the PLCD and redeployed to the benefit of the neighborhood.

19. All proposed right-of-way dedication and street construction plans are subject to review and approval of the City Engineer.
20. Driveways which access proposed lots shall comply with Section 12-84 of the Zoning Ordinance.
21. All grading, drainage and erosion control issues are subject to review and approval by the City Engineer and South Washington Watershed District.
22. All drainage and utility easements shall be subject to review and approval of the City Engineer.
23. Park dedication requirements shall be satisfied at the time of final plat approval.
24. Vacation of the right-of-way for the existing terminus of Osgood Avenue and within Lot 6, Block 1 shall be subject to approval of a resolution by the City Council upon approval of a final plat. 
25. The Developer shall enter into a Developer's Agreement with  City regarding the installation of required improvements and shall provide financial guarantees as required in Sections 12-1471 to 12-1476 of the Subdivision Ordinance.

B. Approval of the **conditional use permit** to allow a PLCD within an AG, Agriculture Zoning District subject to the following conditions:

1. The City approve the Afton Creek Preserve preliminary plat and satisfy all required conditions of such approval.
2. City approval the Afton Creek Preserve final plat shall precede the recording of the conditional use permit.
3. The Odell Avenue right-of way shall be dedicated to the City prior to the recording of the conditional use permit.
4. Proposed conservation easements shall run with the land in perpetuity to the following:
 - The City of Afton
 - All owners of the lots within the PLCD
 - Landowners within Afton which abut the PLCD

Page: 3

Number: 1 Author: Owner Subject: Sticky Note Date: 04/17/2018 5:38:55 PM
Delete this whole paragraph

Number: 2 Author: Owner Subject: Sticky Note Date: 04/17/2018 5:39:42 PM
delete "with" and replace with "acceptable to the city"

- Minnesota Land Trust

5. Intended use (or uses) of conservation easement areas shall be described by the applicant, proved by the City and made conditions of conditional use permit approval.
6. Buildings, structures and improvements located within conservation easement areas shall be designed in a manner which conserve and enhance the amenities of the parcel about its topography and its unimproved condition. 
7. Construction of recreational facilities within conservation easement areas shall proceed at the same time as the construction of the dwelling units.
8. Homeowner's association-related issues shall be subject to further comment  by the City Attorney.

CC: Ron Moore, City Administrator 

Add:

Acceptance and execution of an agreement between the Developer, the City, the homeowner's association and the Minnesota Land Trust stating the party's duties, responsibilities and entitlements with respect to capital improvements and maintenance of the common area and requiring execution of a letter of understanding and any other subsidiary documents required by the Minnesota Land Trust with terms acceptable to the Minnesota Land Trust.

Page: 4

	Number: 1	Author: Owner	Subject: Sticky Note	Date: 04/17/2018 5:42:06 PM
insert after ",and" "and must be". Insert after "city" "and the Minnesota Land Trust"				
	Number: 2	Author: Owner	Subject: Sticky Note	Date: 04/17/2018 5:42:38 PM
insert at the end of the sentence: "and must be approved by the city and the Minnesota Land Trust."				
	Number: 3	Author: Owner	Subject: Sticky Note	Date: 04/17/2018 5:43:16 PM
delete "further comment" and replace with "approved by"				
	Number: 4	Author: Owner	Subject: Cross-Out	Date: 04/17/2018 5:44:12 PM
	Number: 5	Author: Owner	Subject: Inserted Text	Date: 04/17/2018 5:44:19 PM

9.B.2

Ron Moore

From: Nick Guilliams <NGuilliams@wsbeng.com>
Sent: Tuesday, April 17, 2018 8:46 AM
To: Todd Hubmer; Ron Moore
Cc: Greg Johnson; Elizabeth Foster
Subject: RE: WSB Proposal for 3M Settlement Working Group Services (003)
Attachments: 2018 Fee Schedule FINAL-srb.pdf; Exh A.PDF

Ron – Attached are our standard billing rates as outlined in our proposal. The billing rate for Todd and Greg is \$182/hour. It’s important to note that our fees are fully reimbursable as part of the 3M settlement. There will no out of pocket expenses for the City for any of our work. Let me know if you have any questions.

Thanks, Nick

Nick Guilliams
Sr. Project Manager
P (651) 286-8468 | M (612) 419-3589
WSB & Associates, Inc. | 178 East 9th Street, Suite 200 | St. Paul, MN 55101



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From: Todd Hubmer
Sent: Thursday, April 12, 2018 9:18 AM
To: Ron Moore (rmoorse@ci.afton.mn.us) <rmoorse@ci.afton.mn.us>
Cc: Greg Johnson <GJohnson@wsbeng.com>; Nick Guilliams <NGuilliams@wsbeng.com>; Elizabeth Foster <EFoster@wsbeng.com>
Subject: WSB Proposal for 3M Settlement Working Group Services (003)

Ron,

I found a small error in the previous email and forgot the attachment. Sorry about that. Please use this version.

Todd

Todd
(763) 287-7182

WHAT WILL YOU discover?

Enjoy the brand-new
camp kick-off in
the exhibit hall

Build relationships
during longer
networking breaks

Find ideas and tools to
tackle challenging issues
in your city

Celebrate cities at an
all-new awards show
on Thursday

Get energized in your
role as a local leader!



LEAGUE OF MINNESOTA CITIES

CAMP #MNCITIES

ST. CLOUD, MN

JUNE 20-22



2018 ANNUAL CONFERENCE

River's Edge Convention Center, St. Cloud, MN

REGISTER BY APRIL 30 AND SAVE!

www.lmc.org/ac18



9.C.13

CAMP #MNCITIES

Don't miss a minute of the action! There's a lot to learn and new people to meet!

www.lmc.org/AC18

**JUNE
20-22**



River's Edge
Convention Center
St. Cloud, MN

2018 ANNUAL CONFERENCE

Mark your calendars, pack your bags, and get ready to escape to Camp #MnCities this June! Leave your routine behind and take a few days away from the office for the League of Minnesota Cities 2018 Annual Conference!

Join hundreds of your city colleagues (and friends!) for a fun conference experience where you'll make connections while discovering ideas and tools to bring back to your city.

PRE-CONFERENCE WORKSHOP:

Building More Welcoming, Inclusive Communities: City Leadership to Advance Race Equity

Wednesday ▶ 9 a.m.-3 p.m.

As Minnesota becomes more diverse, what can city governments do to create more welcoming, inclusive communities, and how can you lead the change?

The League of Minnesota Cities has made it a high priority to support members in dealing with racial disparities in our cities. Recognizing and addressing these inequities is critical to building more inclusive, resilient, and creative communities. During this pre-conference workshop, you'll discover ways cities of all sizes across the state can leverage local government's role in advancing equity, building trust with community, and genuinely engaging those they serve.



Fee: \$25 | Pre-registration Required | www.lmc.org/AC18equity

BACK BY POPULAR DEMAND!

Opening Session & 2018 Legislative Update

Wednesday ▶ 3:30-5 p.m.

Celebrate the start of Camp #MnCities during the opening session of the 2018 Annual Conference! Then, discover how city priorities fared and what's ahead for cities in 2019 and beyond as the League's intergovernmental relations staff share observations and key outcomes from the 2018 legislative session.

GENERAL SESSION:

Rural-Urban Connections: Growing and Thriving Together

Thursday ▶ 8:30-9:45 a.m.

What do our metro cities, regional centers, rural communities, and the suburbs have in common? More than you might think! While cities may be separated by distance and face different challenges in different parts of the state, we are all connected in one way or another—and our shared success creates opportunities for all of Minnesota. In this session, leaders in state and local government, higher education, and public policy will explore how we can bridge divides to attract people and investments that generate growth and prosperity for everyone no matter what part of the state you call home.

CLOSING SESSION:

Strengthening Communities through Meaningful Engagement and Collaboration

Friday ▶ 10:30-11:45 am

How do we engage and empower residents to be part of building strong, vibrant communities? During the closing session, keynote speaker Paul Schmitz will share lessons from his work with Public Allies, The Asset-Based Community Development Institute, and collective impact efforts to help you see new leadership possibilities within yourself and your community. Paul will explore:

- Leadership values you need to engage people to work better together
- How to build a culture that develops and rewards authentic, inclusive, and collaborative leadership
- Ways to engage community members as partners in solving community problems

GET INSPIRED



Paul Schmitz

Explore topics that are relevant to your role and your city during this year's educational sessions!

Governing & Leading

These sessions will provide resources and tools to help you set a positive tone and effectively lead your city.

KEY TOPICS:

- Collective impact to get results for your community
- Promoting a respectful workplace
- The role of personnel committees
- Using simple tools for high-impact leadership



Managing Your City: The Basics

Find out how to effectively navigate complex issues, understand city tools to support economic development, and take steps to protect your city from costly claims and lawsuits.

KEY TOPICS:

- Hiring and performance management 101
- Risk management 101
- Records management 101
- Public expenditures 101
- Economic development 101



Managing Your City: Advanced Skills

Go beyond the basics as you discover practical ways to address challenges, motivate your city's employees, and think differently to meet evolving needs and expectations.

KEY TOPICS:

- Long-range financial planning
- Employee engagement
- Impacts of federal tax reform
- Meeting service delivery challenges and changing expectations
- How a community foundation can help meet local needs



Planning & Development

Think 20+ years into the future as you explore more sustainable ways to approach planning, development, and growth to keep your city moving in the right direction.

KEY TOPICS:

- New trends in community and economic development
- Downtown redevelopment strategies and tools
- Green business development
- Promoting healthy communities



Civic Engagement & Leadership

Explore ways to engage the next generation of community members in city jobs and leadership roles. Plus, get tips on how cities can build a more collaborative culture.

KEY TOPICS:

- Non-traditional and web-based engagement strategies
- Leadership for authentic engagement and effective collaboration
- Attracting the next generation
- Encouraging youth to get involved



Start planning your trip to St. Cloud now
with the Camp #MnCities schedule:

CONFERENCE
AGENDA:

WEDNESDAY, JUNE 20

8 a.m.–8 p.m.
Registration Open

9 a.m.–3 p.m.
Pre-Conference Workshop:
Building More Welcoming,
Inclusive Communities:
City Leadership to Advance
Race Equity

1 p.m.
Outdoor Events
& Social Activities

2 p.m.
Networking Meet-Ups
& Orientation for New
Attendees

3:30–5 p.m.
Opening Session &
2018 Legislative Update

5–8 p.m.
Camp #MnCities Kick-off
in the Exhibit Hall

THURSDAY, JUNE 21

8 a.m.–7 p.m.
Registration Open

8:30–9:45 a.m.
General Session:
Rural-Urban Connections:
Growing and Thriving
Together

9:45–10:45 a.m.
Networking Break in
Exhibit Hall

11 a.m.–12 p.m.
Educational Sessions #1

12–1:30 p.m.
Luncheon &
LMC Annual Meeting

1:45–2:45 p.m.
Educational Sessions #2

2:45–3:15 p.m.
Networking Break

3–3:30 p.m.
Short Shot
Educational Sessions

3:15–4:15 p.m.
Educational Sessions #3

3:45–4:15 p.m.
Short Shot
Educational Sessions

4:30–7 p.m.
Minnesota Cities
Awards Show & Dinner

FRIDAY, JUNE 22

7–11 a.m.
Registration Open

7:30–8:30 a.m.
Affiliate & Delegate
Breakfasts

9–10 a.m.
Educational Sessions #4

10–10:30 a.m.
Networking Break

10:30–11:45 a.m.
Closing Session with
Keynote Speaker Paul
Schmitz

Find out more & explore the full agenda: www.lmc.org/AC18

Questions about the Camp #MnCities experience?

Contact Kate Brenna at (651) 281-1249 or (800) 925-1122
or kbrenna@lmc.org



REGISTER BY APRIL 30 AND SAVE!
www.lmc.org/AC18

SAVE
YOUR PLACE

PRICING & EARLY
BIRD DEADLINES:

\$400 Regular Attendee
\$450 after April 30, 2018

\$150 First-Time Attendee
\$450 after April 30, 2018

\$250 Cities with Population
Under 1,000
\$450 after April 30, 2018

\$600 Company Representative
For company representatives
who are not exhibiting.

These registration fees include admission to all annual
conference sessions, networking, and meal events.
Lodging is not included in these fees.

CHOOSE
YOUR BUNK

LODGING:

Best Western Plus Kelly Inn
100 4th Ave. S.
St. Cloud, MN 56301
(320) 253-0606

Rate: \$99/night, plus tax

Courtyard by Marriott St. Cloud
404 W. Saint Germain St.
St. Cloud, MN 56301
(320) 654-1661

Rate: \$109/night, plus tax

Please contact the hotel directly to make your room
reservations. To receive the special room rate, reserve
by May 31. Ask for the "League of Minnesota Cities"
group block.

2018 HIGHLIGHTS

Don't miss a minute of fun!



Camp Kick-Off: Meet You in the Exhibit Hall!

Wednesday ▶ 5-8 p.m.

Celebrate the start of the conference Wednesday night with friends, old and new, in the exhibit hall! This year's event will feature fun games and activities to help you get to know fellow campers, discover partners and resources, and get in the Camp #MnCities spirit!



Minnesota Cities Awards Show & Dinner

Thursday ▶ 4:30-7 p.m.

Cheer on Minnesota cities during a new awards show Thursday evening! Join city colleagues for an entertaining dinner and program to give cities the recognition they deserve as you applaud award-winning projects, city leadership, and communities advancing in the GreenStep Cities program.



Explore St. Cloud

Wednesday & Thursday ▶ Various times and activities

Get some fresh air and build relationships with your fellow campers as you start the conference off on the right (or left!) foot during a run/walk event and disc golf outing. Then, see how St. Cloud creates a vibrant, welcoming downtown during an afternoon tour on Thursday.



Brand-New Networking Opportunities

Wednesday-Friday ▶ Various times and activities

Connect with city colleagues who have common interests at Wednesday networking meet-ups and during more networking time throughout the conference! Come together to share issues and accomplishments, gather ideas to tackle challenges, and build relationships with fellow campers.



REGISTER BY APRIL 30 AND SAVE!
www.lmc.org/ac18

Camp #MnCities Sponsors

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National Joint Powers Alliance
NFP
Utility Service Partners, Inc.
WSB & Associates, Inc.

FOR NEW CITY CLERKS

Clerks' Orientation Conference

June 20-22

The League's popular three-day conference for new city clerks will be held concurrently with the 2018 Annual Conference.

In addition to the orientation program, new clerks will have the opportunity to attend the annual conference keynote and some educational sessions and networking events.

Visit www.lmc.org/clerks18 for more information.