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

APPROVED City Council Regular Meeting Minutes
May 19, 2020
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 P.M.

1. **THE MEETING WAS CALLED TO ORDER** at 7:00 P.M. by Mayor Bill Palmquist
2. **THE PLEDGE OF ALLEGIANCE** – was not recited.
3. **ROLL CALL:** Mayor Palmquist, Council Members Lucia Wroblewski, Randy Nelson, Annie Perkins, Stan Ross. **A Quorum was present.** The meeting was held virtually via Zoom.
ALSO PRESENT: City Administrator Ron Moorse, City Attorney Fritz Knaak, City Clerk Julie Yoho
4. **APPROVAL OF AGENDA –**
Motion/Second Ross/Nelson To approve the agenda for the May 19, 2020 Regular City Council meeting. Roll call: All aye, passed 5-0.
5. **APPROVAL OF MINUTES**
Motion/Second Palmquist/Ross To approve minutes of the April 21, 2020 Regular City Council meeting. Roll call: All aye, passed 5-0.
6. **PUBLIC INPUT –**

Deb Diggins, 2080 Trading Post Tr; has lived in Afton 33 years. Has concern over repetitive firearms shooting in area. Feels current ordinance doesn't address issue as there are hundreds of rounds being shot and no way to determine distance. Loud repeated gun fire 3- 4 nights per week. Has discussed with neighbor to no avail.

Larry Niswanger, 2770 Trading Post Tr. Ongoing situation with neighbor to the west who shoots repeated rounds of gunfire from semi-automatic or automatic gun. Current ordinance is inadequate to address the rapid fire. Change ordinance regarding distance from property line or restrict automatic guns.

Nancy Turner 13926 60th St S; Concerns about developer of Afton Creek Preserve failing to comply with conditions in the developer's agreement. Conditions have not been met. Visible barrier has not been completed, erosion around pond, hunting has been allowed there. They haven't met even the minimum conditions set.
7. **REPORTS/PRESENTATIONS –**
 - A. Roger Schanus, CarlsonSV, 2019 Audit Report Presentation
Provided a summary of the audit report and stated that the process went very well. Accounting systems are great, better than many cities they work with.
 - B. Sheriff's Report (written report only)
Council member Wroblewski noted that there were 6 shots fired/noise complaints on the report.
 - C. Tom Niedzwiecki Budget Report (written report only)

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8. CONSENT AGENDA

- A. A. Just and Correct Claims
- B. 4M Fund Transfers – APRIL – **Resolution 2020-27**
- C. Extension of the Declaration of Local Emergency – **Resolution 2020-28**
- D. 2019 Audit Report
- E. Washington County Cooperative Weed Management Area Memorandum of Understanding
- F. City Cost Share for Open Space Property Acquisition and Preservation at 2398 St. Croix Trail
- G. Bond Sale Ratification – **Resolution 2020-29**
- H. Replace Pathway from Levee to Steamboat Park

Motion/Second Ross/Palmquist To approve consent agenda and Resolutions 2020-27, 2020-28, 2020-29. Roll call: All aye, passed 5-0.

9. CITY COUNCIL BUISINESS

- A. **Planning Commission Report** – (PC report & Draft PC minutes)
No May meeting was held

B. Public Hearing

- 1. Minor Subdivision and Variance Application for the City-Owned Parcel at 2318 St. Croix Trail – **Resolution 2020-30**

Mayor Palmquist opened the public hearing at 7:24 pm.
David Eastwood, feels this shouldn't be allowed as property was to be a buffer. Wants 30 days to look into or he will sue the city.
Kris Kopitzke 14675 Afton Blvd; provided a summary of Planning Commission comments. Higher standard of scrutiny since it involves city. Does it meet criteria for variance? Normally would have applicant make changes.

No other public comments were received.

Motion/Second Palmquist/Wroblweski move to close public hearing. Roll call: All aye, passed 5-0.

Hearing closed at 7:30 PM

Motion/Second Palmquist/Nelson move to approve Resolution 2020-30 for a minor subdivision and variance for the city owned parcel at 2318 St. Croix Trail.

Ross would like information on buffer zone.
Moorse when purchased knew we didn't need full 25 acres, felt it would be good buffer for the neighbors. Also had discussions on better ways to use the extra property. This still creates buffer with 4 acres in conservation easement.
Council member Perkins stated the motion amendment addresses the question about the other entities. What were the Planning Commission concerns?
Kopitzke stated that the applicant must not create the situation that requires variance.
Council member Nelson stated that the fact that the water treatment site is to the north, for the safety of the driveway this location is better.
Attorney Knaak stated that these are unique circumstances, but the report is thorough.
Mayor Palmquist stated that this has been discussed publically for nearly 1 year.

Motion Vote

Roll Call: All aye, passed 5-0

D. Engineering Report – (Engineer Staff Report)

- 1. Valley Creek Bridge Repairs
Council member Ross stated that this is an unsafe bridge that needs repair, has been on the list for years.

106 **Motion/Second Ross/Nelson to award construction contract to InSite Contracting Inc. in the**
107 **amount of \$67,966.00 and to authorize WSB to administer contract at cost not to exceed**
108 **\$4,300.00. Roll call vote: All aye, passed 5-0.**
109

- 110 2. River Road Sanitary Sewer Project Update
111 City Engineer Guilliams reported that the system is complete, restoration work needs to be finished.
112 **Motion/Second Ross/Palmquist to send communication to the residents so they know project is**
113 **complete and that they can make direct connection. Sewer fee will return to standard fee**
114 **amount. Roll call: All aye, passed 5-0.**
115

116 **E. Administration –**

- 117 1. 30th Street Culvert Replacement
118 A large culvert on 30th Street needs to be replaced prior to an improvement to the road. The City
119 has obtained five price quotes for the replacement project. The Tri County Services price quote
120 reflects the City purchasing the second half of the culvert. Also, the price quote does not include
121 the cost of installing a guardrail.
122 **Motion/Second Wroblewski/Ross to approve price quote from Tri County of \$89, 975 for the**
123 **replacement of the 30th Street culvert.**
124 **Ross amend motion (accepted) to include the city purchase of the second half of culvert at a**
125 **cost of \$28,281 and installation of guardrails at cost not to exceed \$25,000. Roll call: All aye,**
126 **Passed 5-0.**
127
- 128 2. 30th Street Temporary Surface Repairs
129 Administrator Moorse stated that the driving surface of 30th Street is in poor condition and is
130 beyond pothole patching. The Council may want to consider temporary surface repairs in the
131 interim until the street can be fully improved with a reclamation project. .
132 **Motion/Second Palmquist/Nelson to authorize Tri County to perform temporary surface**
133 **repairs for 30th Street at cost not to exceed \$8,000 to provide a smoother driving surface.**
134 Council member Ross stated that he feels this is not the right way to do, would like to delay and
135 look at a better approach at a later date.
136 Council member Nelson agreed but the road is in terrible condition and in future we can do it right.
137 Council member Wroblewski asked how long the repair will last (couple years).
138 Council member Perkins asked when the road is due to be re-done?
139 Council member Ross replied it was due this year but the bids came in way too high, over 2.5 times
140 higher than expected.
141 **Motion Vote Roll call: 4 aye, 1 nay (Ross) passed 4-1**
142
- 143 3. Afton Creek Preserve Construction Update
144 Klay Eckles (WSB) and Jennifer Hildebrand provided an update
145 Hildebrand reviewed the items that are still outstanding. Stabilization and infiltration issues exist at
146 several of the ponds. Tree planting still needs to occur, along with other items.
147 Council member Wroblewski stated that we need to have a deadline set to fix problems and prevent
148 further problems. Would like deadline for the screening trees to be planted.
149 **Motion/Second Wroblewski/Ross To establish deadline of July 1 for completion of incomplete**
150 **work items. Roll call: All aye, passed 5-0.**
151
- 152 4. Town Square Park Restrooms
153 Mayor Palmquist would like to open the restrooms by Friday the 29th. Need to have cleaning
154 supplies, PPE for staff and signage.
155 Ken Johnson stated that the employees are ok cleaning if they have equipment. We may need to
156 turn off dryers, and uses paper towels which creates more garbage.
157 Council member Nelson asked about liability since we can't keep it sanitized.

- 158 Mayor Palmquist stated that other cities such as Stillwater and Woodbury have opened up their
159 restrooms.
160 Council member Ross stated that the weekend will be busy, almost worse if bathroom isn't open.
161 Can we open with signage?
162 Attorney Knaak stated that the city does not have special obligation to sanitize. May want to remind
163 people of risk and try to keep clean but cannot guarantee. There is no legal issue provided there is
164 routine maintenance.
165 Council member Perkins recommended opening up for the weekend with hand sanitizer and place
166 higher standards later.
167 Council member Ross stated that the date won't make the virus go away. Not having a restroom is
168 worse.
169 Council member Wroblewski stated she doesn't want employees exposed, need to have equipment.
170 **Motion/Second Ross/Perkins move to open up bathroom immediately and have staff get**
171 **training and equipment for workers and post signs regarding use.**
172 Council member Perkins would hesitate if staff doesn't have measures in place to protect
173 themselves.
174 Ken Johnson stated they will open with normal standard of cleanliness for now along with proper
175 signage. Will try to find sanitizer and PPE.
176 Mayor Palmquist stated he doesn't want to put staff at risk.
177 **Roll call vote: Ross, Perkins, Nelson Aye; Wroblewski, Palmquist Nay. Passed 3-2**
178
179 5. Emergency Operations Update
180 Administrator Moorse reported that city hall remains closed to the public. Committee meetings
181 have been on hold, but now the HPC has a project to review.
182 **Motion/Second Palmquist/Ross to allow the Heritage Preservation Commission to meet**
183 **remotely when needed for design review. Roll call: All aye, passed 5-0.**
184
185 **Motion/Second Palmquist/Ross to continue to meet remotely for City Council meetings,**
186 **including public hearings; and to allow the Planning Commission to meet remotely in July if**
187 **needed. Roll call: All aye, passed 5-0.**
188
189 6. Office Assistant Hiring Process Update
190 Administrator Moorse reported that applications will be reviewed later this week.
191 **Motion/Second Palmquist/Ross to have the Personnel committee and staff review applicants**
192 **and do initial interviews, top 3 candidates to be interviewed by full council. Roll call: All aye,**
193 **passed 5-0.**
194
195 7. 30th Street Small Culvert Replacements
196 **Motion/Second Palmquist / Perkins to wait and do culvert replacement at time of street**
197 **reconstruction. Roll call: all aye passed 5-0.**
198
199 8. Polling Place Safety Requirements
200 **Motion/Second Palmquist/ Wroblewski To allow staff to spend up to \$2500 to purchase safety**
201 **equipment for elections. Roll call: All aye, passed 5-0.**
202
203 9. Proclamation of the Dr. Joel Jensen Health Care Provider Appreciation Day – **Resolution 2020-31**
204 **Motion/Second Palmquist/Wroblewski approving Resolution 2020-31 proclaiming July 1, 2020**
205 **as Dr. Joel Jensen Health Care Provider Appreciation Day. Roll call: All aye, passed 5-0.**
206
207 **D. Committee Reports – no committee meetings were held, no reports**
208 1. Public Works

