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

APPROVED City Council Regular Meeting Minutes
May 15, 2018
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 Richard Bend

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

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

ALSO PRESENT: Todd Hubner, (City Engineer), City Administrator Ron Moore, City Attorney Fritz Knaak, City Accountant Tom Niedzwiecki (for first portion of the meeting), Planning Commission Chair Kris Kopitzke.

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

A. Agenda for the Regular City Council Meeting of May 15, 2018

Agenda changes: add item County Commissioner Gary Krisel; change item 7.d. school superintendent unable to attend; add items 10c12, Lights on Flag; 10c13, Tree off 35th St, move closed session to 10c14.

Motion/Second Ross/Palmquist To approve the Agenda of the May 15, 2018 Regular City Council Meeting as amended. Passed 5-0.

5. **APPROVAL OF MINUTES**

A. Minutes of the April 17, 2018 Regular City Council Meeting

Council member Richter would like both sets of findings and conditions should be put in minutes, if including at all. Mayor Bend agree both sets should be in. Council member Palmquist stated that typically this much information is not included.

Attorney Knaak pointed out that the council can decide what to reflect. Often not a bad idea to include more to support the full discussion.

Council member Nelson recommended leaving in and to include supplemental packet items from Richter attached at the end.

Motion/Second Bend/Nelson To approve the minutes of the April 17, 2018 City Council Regular Meeting with Joe Richter’s addition from the supplemental packet. Passed 5-0.

B. Minutes of the April 4, 2018 City Council Work Session **Motion/Second Palmquist/Ross To approve the minutes of the April 4, 2018 City Work Session. Passed 5-0.**

6. **PUBLIC INPUT** –

Pete Gere, 1877 Quasar Ave S, Lake St Croix Beach. Talked about the 5 city Veterans memorial. The group currently has no representatives from Afton. Information will be put in the next newsletter about the memorial.

Kevin O’Hara, 3032 St Croix Tr, Mudslinger pottery. Has a street sign “Mudslinger Way” and would like to know if he can put up on his side street or if there is a procedure.

Perry J Eggers 13379 50th St. Spoke against the development that was approved last month stating that many houses cannot be put in the Ag zone. All of the city committees were against it.

54
55 Julie Ziedel 3055 St Croix Tr.; Thank you for putting trees in on her property.

56
57 **7. REPORTS/PRESENTATIONS -**

58 **A. Sheriff's Monthly Report**

59 Sargent summarized the successful Jessie Diggins event.

60
61 **B. Tom Niedzwiecki, Budget Report**

62 Tom provided the monthly financial summary. Audit will be presented next month.

63 Council member Nelson asked about the fire dept. increases and the impact.

64 Council member Palmquist asked about hourly pay for the fire dept

65 **Motion/Second Palmquist/Ross to split the road dept. service fund into 2 separate accounts. Passed**
66 **5-0.**

67
68 **C. Lower St. Croix Fire District Report**

69 Council member Nelson presented a hand-out with a proposed budget, 4.67 increase, 5% annual increase
70 thereafter. Based on population and tax capacity. Would like to sit down with joint powers committee
71 and discuss.

72 Mayor Bend stated that all of the members will have to agree in order to amend.

73 **Motion/Second Nelson/Richter To have Ron request a meeting of the joint powers committee.**

74 **Friendly amendment Palmquist: To wait 2 weeks. (accepted)**

75 **Passed 5-0.**

76
77 **D. Gary Kriesel County Commissioner**

78 Commissioner Kriesel Thanked the city for the success of Jessie Diggins Day. Traffic management and
79 everything else went very smoothly. Special thanks to Council member Ross for coordinating, the Mayor
80 and the Council for their support.

81
82 Washington County Sherriff Dan Starry presented the city with a "Jessie Diggins Trail" street sign.

83
84 **E. Jill Lucas, Valley Branch Watershed District Board of Managers**

85 Jill provided a summary of VBWD history, communities, projects and their new website. Grant money
86 for the Kelle's Creek septic program is still available until the end of 2018.

87
88 **F. Afton Historical Museum Presentation of Framed Historic Plat**

89 Council member Ross in his role as president of the museum presented the city a framed print of an
90 original plat map of Afton.

91
92 **8. EXTENSION OF TEMPORARY MORATORIUM – PUBLIC HEARING**

93 **A. Ordinance Amendment Extending Ordinance 4-2017**

94 Administrator Moorse provided the following information: On July 24, 2017, the Council adopted interim
95 ordinance 04-2017 placing a temporary moratorium on zoning applications for certain use classifications
96 in the City to enable the City to conduct studies for the purpose of consideration of possible revision and
97 amendments to the City's official controls to address issues related to its use classifications, most
98 specifically to those matters related to exterior storage in industrially zoned areas within the City. The
99 interim ordinance and moratorium expire on June 15, 2018. The process of completing the studies and
100 drafting and adopting an ordinance that reflects the results of the studies of uses that involve exterior
101 storage as well as other industrial use regulations has not been completed, and is not expected to be
102 completed until at least the June 19 meeting of the City Council.

103
104 Mayor Bend opened the public hearing at 8:07 pm.

105 No comments were received from the public

106 Public hearing closed at 8:08 pm
107 **Motion/Second Palmquist/Bend To adopt Ordinance 02-2018 extending Interim Ordinance 04-2017**
108 **and the related temporary moratorium from June 15, 2018 to July 24, 2018. Roll call: all aye,**
109 **passed 5-0.**

110
111 **9. CONSENT AGENDA**

112 **A. Just and Correct Claims**

113 **B. 4M Fund Transfer – APRIL – Resolution 2018-24**

114 **Motion/Second Palmquist/Richter To approve consent agenda and Resolution 2018-24 approving**
115 **April transfers. Roll call: All aye, passed 5-0.**

116
117 **10. CITY COUNCIL BUISINESS**

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

119 Commission member Doherty summarized the May meeting of the planning commission.

120 1. Nicholas Squires Variance Application at 14641 Afton Boulevard – **Resolution 2018-25**

121 Administrator Moose provided a summary of the application: Nicholas Squires is proposing to construct
122 a 1,920 square foot accessory building in the front yard of his property at 14641 Afton Boulevard.

123 The property does not have any frontage on Afton Boulevard, but is located at the end of a private
124 driveway that serves several properties and is also located at the end of a platted but unimproved public
125 street right-of-way. The parcel is 11 acres, which allows an accessory building up to 2,500 square feet.
126 The side and rear setbacks for an accessory building up to 1500 square feet are 50 feet. The setbacks for
127 an accessory building greater than 1500 square feet are 100 feet.

128
129 Council member Palmquist asked about the unimproved road at site. Moose replied that if the cul de sac
130 is developed in the future, the setback will be met.

131
132 **Motion/Second Palmquist/Ross to approve Resolution 2018-25 approving the variance application.**
133 **Roll call: all aye, passed 5-0.**

134
135 2. Tom Hinz Variance Application at 4787 Manning Avenue – **Resolution 2018-26**

136 Administrator Moose provided a summary of the application: Thomas and Louise Hinz are proposing to
137 relocate the driveway at 4787 Manning Avenue to the north to provide a safer entrance to Manning
138 Avenue. The property is 4.7 acres and is zoned Agriculture, as is the property to the north, south and east.
139 The current driveway has a poor sightline to traffic coming over a hill to the south. The Minnesota
140 Department of Transportation (Mn/DOT), which is constructing road improvements on Manning Avenue
141 in the area of 4787 Manning Avenue, has indicated it will relocate the driveway to the north to improve
142 the sightline. Because the preferred location of the driveway is in the area of an existing culvert under
143 Manning Avenue, the driveway is proposed to be located north of the culvert, three feet from the north
144 property line. The proposed plans require a variance to the required ten foot sideyard setback.

145
146 Council member Palmquist asked if Mn/DOT is paying for this. Mr. Hinz replied, yes.

147
148 **Motion/Second Richter/Bend to approve Resolution 2018-26 approving the variance request at 4797**
149 **Manning Ave. Roll call: all aye, passed 5-0.**

150
151 3. Ray Pruban Minor Subdivision Application at 2158 Oakgreen Avenue – **Resolution 2018-27**

152 Administrator Moose provided a summary of the application: Ray Pruban has applied for a minor
153 subdivision at 2158 Oakgreen Avenue to subdivide the existing 45 acre parcel into three lots. Mr.
154 Pruban has a purchase agreement on the property that is subject to approval of the minor subdivision.

155
156 Discussion was held about the 16.5' strip of land along the road with the easement over it. Palmquist
157 asked about easement

158 **Motion/Second Bend/Palmquist To approve Resolution 2018-27 approving the Subdivision**
159 **Application at 2158 Oakgreen Ave with findings and conditions.**

160 Discussion

161 Council member Richter offered friendly amendment to add condition that no further subdividing of
162 parcel C will be allowed. (Bend accept)

163 Pruban noted that it is not sub-dividable in current situation.

164 Council member Richter pointed out that a variance could be requested in the future if conditions change.

165 Attorney Knaak stated that if recorded with the resolution, a variance could be requested in the future,
166 and a resolution could undo. Wouldn't have to prove hardship.

167 **Roll call vote – all aye, passed 5-0.**

168

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

170 1. Change Order No. 10 for the Downtown Village Improvement Project

171 **Motion/Second Nelson/Palmquist to approve Change Order No. 10 for the Downtown Village**
172 **Improvement Project in the amount of \$18070.42 to Geislinger and Sons, Inc. Passed 5-0.**

173

174 2. 2018 Crack Filling Project Price Quotes

175 **Motion/Second Palmquist/Ross to approve quote from Fahrner Asphalt Sealers LLC in amount of**
176 **\$45,279.68. Passed 5-0**

177

178 3. Scope of Work and cost for Hydrologic Analysis for the Bridge on Valley Creek Trail over Valley
179 Creek

180 **Motion/Second Palmquist/Richter to approve WSB to perform a hydrologic model of the existing**
181 **drainage area and coordinate with the VBWD at a cost not to exceed \$3,500. Passed 5-0.**

182

183 **C. Administration –**

184 1. Preparation of a Development Agreement for the Afton Creek Preserve Subdivision

185 Administrator Moose provided the following information: At its May 2, 2018 Special Meeting, the

186 Council reviewed a proposal from attorney Mark Vierling for the preparation of a development

187 agreement for the Afton Creek Preserve Subdivision. The Council also asked City Attorney Fritz

188 Knaak if he was interested in preparing the development agreement. Mr. Knaak indicated that he was

189 interested and also would recommend Tim Keane, City Attorney for South St. Paul. Mr. Knaak

190 indicated he would submit a proposal for preparing the development agreement and would also contact

191 Mr.Keane regarding his interest.

192 **Motion/Second Palmquist/Nelson To accept the proposal from attorney Fritz Knaak to prepare**
193 **the development agreement for the Afton Creek Preserve subdivision.**

194

194 Discussion

195 Council member Richter asked about level of detail

196 Mayor Bend would like to add that construction traffic is not allowed at the Odell access and that all

197 requirements of the Ordinances are met

198 Council member Palmquist asked about adding a condition of no construction until final plat approved

199 Council member Ross asked about procedure and indicated he would like time to review.

200 Attorney Knaak responded that comments can be sent to Ron. Document will be done prior to

201 approval of final plat.

202

202 **Motion Vote: passed 5-0**

203

204 2. Draft Ordinance Amendment Regarding Industrial Uses

205 Administrator Moose provided a summary of the planning commission's discussion.

206 The Council reviewed the items.

207 Council member Palmquist stated he would lean toward having requirements, rather than

208 encouragements

209 Mayor Bend stated it should specific in architectural standards, not subjective

- 210 **Motion/Second Palmquist/Bend To refer the ordinance amendment back to the Planning**
211 **Commission for a public hearing. Passed 5-0.**
212
- 213 3. Additional Speed/Noise Patrol During the Summer Months
214 Administrator Moorse provided the following information:
215 In response to concerns regarding the need for additional speed/noise enforcement, the Council
216 included funding of \$5,000 in the 2018 General Fund Budget for additional speed and noise
217 enforcement by the Washington County Sheriff's Department. In past years, additional enforcement
218 has been provided starting on the Memorial Day Holiday weekend. The cost for the additional
219 enforcement is \$60.00 per hour. The additional enforcement is normally provided in 4-hour
220 increments. It is recommended that additional enforcement be provided for at least two 4-hour
221 increments during the Memorial Day Holiday weekend. The Council may also want to consider
222 planning for additional enforcement during the 4th of July Holiday weekend.
223 **Motion/Second Palmquist/Nelson To authorize 10, four hour increments of additional**
224 **enforcement between Memorial day and July 1 scheduled as per the county. Passed 5-0**
225
- 226 4. Painting of City Hall
227 **Motion/Second Nelson/Palmquist To accept the price quote of Kerschbaum Renovation in the**
228 **amount of \$4,400 for the painting of the City Hall and staining the exterior stairs.**
229 Discussion
230 Mayor Bend added friendly amendment to include caulking and painting of all windows.
231 It is uncertain if the quote included that or not.
232 Mayor Bend suggested to table.
233 **-Motion withdrawn-**
234
- 235 5. Seasonal Staff Hires and Pay Adjustments
236 **Motion/Second Bend/Ross To approve hiring Tom Pahl as the lead seasonal maintenance**
237 **worker at the rate of \$12.75/hour and hiring Will Gasperini as a seasonal maintenance worker**
238 **at the rate of \$11.25/hour. Passed 5-0.**
239
- 240 6. Planning Commission Compensation
241 Discussion was held regarding if the planning commission members should receive compensation.
242 Most communities do not compensate.
243 **Motion/Second Richter/Ross To compensate planning commission members at \$50 per month.**
244 **Vote 2 aye, 3 nay. Failed 2-3**
245
- 246 7. Rinta Park Tree Removals
247 **Motion/Second Bend/Nelson to approve \$800 for tree removal at Rinta gardens.**
248 **-Motion withdrawn-**
249
- 250 8. Laserfiche Scanning Options
251 **Motion/Second Ross/Bend to approve the additional cost of \$5,000 to enable the property file**
252 **documents to be sorted into the proper property file structure as they are scanned.**
253 Council member Palmquist stated that it could be done as needed over time rather than incurring
254 more cost.
255 **Vote: 3 aye, 2 nay (Richter, Palmquist). Passed. 3-2**
256
- 257 9. Schedule Special Council Meeting
258 May 30, 7:00
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- 260 10. Schedule Council Work Session
261 May 30, 5:00

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- 11. Paperless Agenda Packets Technology
Motion/Second Palmquist/Ross To authorize the purchase of a Microsoft Surface for each council member and administrator, along with a pen at total cost not to exceed \$7,800. Passed 5-0.

- 12. Flag light relocation
Estimate relocate the light which shines on the city hall flag is \$675.00
Motion/Second Nelson/Bend To table item. Passed 5-0.

- 13. Tree removal off 35th St
Five trees are located on city property, overhanging structures and road.
Motion/Second Bend/Nelson to approve removal of trees at cost not to exceed \$1,650. Passed 5-0.

- 14. **Closed Session:** Nationstar Settlement Proposal
Council went into closed session at 11:06 p.m. after addressing items 10D and 11.

D. Committee Reports (taken out of order)

- 1. Public Works – no report
- 2. Personnel – no report
- 3. Parks – no report
- 4. Heritage Preservation Commission / Design Review – meet Wed
- 5. Natural Resources and Groundwater – no quorum

11. COUNCIL, CONSULTANT, AND STAFF REPORTS, ANNOUNCEMENTS, AND UPDATES

- A. Ward 1 Council Member Palmquist – equipment by Steamboat Park
- B. Ward 2 Council Member Richter – truck activity
- C. Ward 3 Council Member Ross – no report
- D. Ward 4 Council Member Nelson – fire dept.
- E. Mayor Bend – weed complaints
- F. City Attorney Knaak – no report
- G. City Administrator Moorse – no report

12. ADJOURN –

Meeting adjourned at

Respectfully submitted by:

JY

Julie Yoho, City Clerk

Approved by Council (June 19, 2018) as (check one): Presented: X Amended: _____

Mayor Richard Bend _____ Date _____