

City of Afton
Claims to be Approved
June 17, 2020 thru July 21, 2020

<u>Checks Numbered</u>			
<u>From</u>	<u>To</u>	<u>Description</u>	<u>To Be Approved</u>
23889	23901	Routine Vendor Bills	\$4,671.50
23902	23910	Significant Vendor Bills by Size or Nature	\$22,994.99
23911	23912	LMCIT: Annual Insurance Premiums for Workers Comp (\$3,647) and Prop/Casualty (\$26,912)	\$30,559.00
23913	23927	One Staff Paycheck (new employee) + More Routine Vendor Bills	\$6,185.20
23928		LSCV Fire District: 3rd Quarter 2020 Fire & Ambulance Services	\$65,912.75
23929		Wash Cty Sheriff: First Half 2020 Police Services	\$99,578.49
23930	23933	Felhaber Larson: Condemnation Appeals & Special Assessments	\$47,885.50
23934	23938	Tri-County: May and June Invoices	\$30,966.97
23939	23945	More Significant Vendor Bills by Size or Nature	\$40,218.40
23946		8/20/20 Principal and Interest on two PFA Loans. Stormwater Loan \$52,000 Principal + \$4,898 Interest. Sanitary Sewer Loan \$60,000 Principal + \$6,055 Interest.	\$122,953.15
23947		US Bank: 8/1/20 2014A Road Bond Payment (All interest)	\$36,150.00
23948		US Bank: 8/1/20 2017B Road Bond Payment (All interest)	\$30,437.50
23949		One More Significant Vendor Bill: City Attorney	\$4,500.00
23950		Geislinger & Sons: Pay Voucher #2 River Road	\$16,776.96
23951		Geislinger & Sons: Pay Voucher #23 Final on Downtown Project	\$159,676.33
202007001	202007008	EFT/Direct Deposit: 6/30/20 Staff Payroll + Exp Reimb + PERA & Payroll Taxes	\$10,568.14
202007009	202007031	EFT: Phone, Postage, Copier Lease, Utility Bills, Building Permit Surcharges	\$5,661.87
202007032		EFT: Wire Transfer initiated by 4M Fund to LMCIT re. MEL Annual Insurance Premium	\$2,493.00
202007033	202007047	EFT/Dir Dep: 7/15/20 Staff & Council Pay/Exp + Employee Exp Reimb + PERA & Payroll Taxes	\$12,062.05
Claims to be approved at 7/21/20 meeting			\$750,251.80



Submitted by Thomas H. Niedzwiecki, Accountant
 File: Afton 2020 Claim Summary.xlsm Worksheet: Jun20 7/14/2020

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Type	Date	Num	Name	Memo	Account	Original Amount
Liability Che...	06/30/2020	23889	Madison National Life	103815000000000	100 - 4M 101/USB 2934 - General Fund	(191.78)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5505 Bank/IRS Fees/Sales Tax	Adjustment 103815000000000 103815000000000	5505 - Bank/IRS/Sales Tax 2325 - Madison Life ST & LT Disability 2325 - Madison Life ST & LT Disability	(0.10) 144.68 47.20
TOTAL						191.78
Bill Pmt -Ch...	07/02/2020	23890	All Seasons Rental	Account No. 30890280	100 - 4M 101/USB 2934 - General Fund	(46.53)
Bill	06/30/2020	82468	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.3 Oth Pub Wrks:5920 Repairs...	Equipment supplies	5920 - Repair & Maint Equipment	46.53
TOTAL						46.53
Bill Pmt -Ch...	07/02/2020	23891	Election Systems & Software, Inc.	Acct No.16414	100 - 4M 101/USB 2934 - General Fund	(381.25)
Bill	06/30/2020	1142171	550 Special Activities Fd - General:N. Elections:6347 Election Expense	Protective Shields	6347 - Elections Expense	381.25
TOTAL						381.25
Bill Pmt -Ch...	07/02/2020	23892	Get Connected Tech		100 - 4M 101/USB 2934 - General Fund	(195.00)
Bill	06/30/2020	151099	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6062 Oth Contra...	Quarterly Monitoring of Afton Sewage Site, 2nd Qtr 2020: 3 months @ \$65	6062 - Other Contract Services	195.00
TOTAL						195.00
Bill Pmt -Ch...	07/02/2020	23893	Menards - Hudson		100 - 4M 101/USB 2934 - General Fund	(126.14)
Bill	06/30/2020	24791	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6135 Park Maintenance	supplies, minor equipment	6135 - Park Maintenance	3.91
Bill	06/30/2020	25342	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6135 Park Maintenance	supplies, minor equipment	6135 - Park Maintenance	58.34
Bill	06/30/2020	25638	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6140 Misc Expense	supplies, minor equipment	6140 - Misc Exp - Parks	17.17
Bill	06/30/2020	25987	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6140 Misc Expense	supplies, minor equipment	6140 - Misc Exp - Parks	26.73
Bill	06/30/2020	24854	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6050 Supplies	supplies, minor equipment	6050 - Supplies - Bldg & Land	19.99
TOTAL						126.14
Bill Pmt -Ch...	07/02/2020	23894	Petersen Mgmt (Lab Fees)	Cust No. 3477	100 - 4M 101/USB 2934 - General Fund	(233.20)
Bill	06/30/2020	107288	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6066 Chemicals ...	Lab fees, Chemicals	6066 - Chemicals & Lab Fees	233.20
TOTAL						233.20
Bill Pmt -Ch...	07/02/2020	23895	Petersen Mgmt (Oper & Mgmt Fees)	Cust No. 3477	100 - 4M 101/USB 2934 - General Fund	(1,508.33)
Bill	06/30/2020	107266	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6065 Oper & M...	Operations and management fees Jun2020	6065 - Oper & Mgmt Fees	1,508.33
TOTAL						1,508.33
Bill Pmt -Ch...	07/02/2020	23896	Quadient (Dept 3689)	Cust No. 60821903-3940619	100 - 4M 101/USB 2934 - General Fund	(77.85)
Bill	06/30/2020	57648760	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5550 Postage	Equipment Rental, Supplies	5550 - Postage	77.85
TOTAL						77.85
Bill Pmt -Ch...	07/02/2020	23897	StarTech Computing, Inc		100 - 4M 101/USB 2934 - General Fund	(314.00)
Bill	06/30/2020	5104	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Software	Flex Net Agreement 2/1/20 to 1/31/21. Flex Support.	5510 - Computer Service/Software	250.00
Bill	06/30/2020	50723	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Software	Flex Net Agreement 2/1/20 to 1/31/21. Microsoft Exchange online	5510 - Computer Service/Software	64.00

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Type	Date	Num	Name	Memo	Account	Original Amount
TOTAL						314.00
Bill Pmt -Ch...	07/02/2020	23898	Thoennes Plumbing		100 · 4M 101/USB 2934 - General Fund	(140.00)
Bill	06/30/2020	15139	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6135 Park Maintenance	Install tee to add bleach to water heater. Turn on drinking fountain	6135 · Park Maintenance	140.00
TOTAL						140.00
Bill Pmt -Ch...	07/02/2020	23899	Twin Cities Pioneer Press	Acct # 415245	100 · 4M 101/USB 2934 - General Fund	(358.44)
Bill	06/30/2020	0520415245	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5555 Publishing & Printing	Legals:	5555 · Publishing & Printing	358.44
TOTAL						358.44
Bill Pmt -Ch...	07/02/2020	23900	Twin City Hardware	CU1088621	100 · 4M 101/USB 2934 - General Fund	(18.98)
Bill	06/30/2020	psi0101583	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6040 Repairs & Maintenance	Hardware, supplies	6040 · City Property Maintenance	18.98
TOTAL						18.98
Bill Pmt -Ch...	07/02/2020	23901	Uline	Cust No. 16730136	100 · 4M 101/USB 2934 - General Fund	(1,080.00)
Bill	06/30/2020	121054719	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5870 Other Road M...	56 gallon glutton recept - brown/red	5870 · Other Road Maintenance	1,080.00
TOTAL						1,080.00
Bill Pmt -Ch...	07/02/2020	23902	Wash Cty (Sheriff Squad Cars/Traffic)		100 · 4M 101/USB 2934 - General Fund	(1,240.50)
Bill	06/30/2020	176407	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.1 Public Safety:5636 Police - A...	May 2020 traffic details	5636 · Police - Add'l Patrols/Exp	1,240.50
TOTAL						1,240.50
Bill Pmt -Ch...	07/02/2020	23903	WSB (3M Working Groups)	R-011907-000 3M Working Groups	100 · 4M 101/USB 2934 - General Fund	(1,008.00)
Bill	06/30/2020	18	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Engineering Services for 3M Working Groups	5310 · Engineering Fees	1,008.00
TOTAL						1,008.00
Bill Pmt -Ch...	07/02/2020	23904	Capra's Utilities		100 · 4M 101/USB 2934 - General Fund	(3,450.00)
Bill	06/30/2020	5591	120 Street Imp Capital Fd:B. Exp:7984 River Road Sanitary Options	River Road Sanitary Sewer Services: Final (Total of \$55,862.50)	7984 · River Road Sanitary Options	3,450.00
TOTAL						3,450.00
Bill Pmt -Ch...	07/02/2020	23905	LED Supply Co.		100 · 4M 101/USB 2934 - General Fund	(1,747.00)
Bill	06/30/2020	inv103104	115 Bldg & Land Capital Fund:B. Exp:6003 City Hall Improvements 115 Bldg & Land Capital Fund:B. Exp:6005 City Garage Improvements	Labor to install LED lighting at City Hall Labor to install LED lighting at PW Garage	6003 · City Hall Improvements 6005 · City Garage Improvements	1,187.99 559.01
TOTAL						1,747.00
Bill Pmt -Ch...	07/02/2020	23906	Rumpca Excavating Inc		100 · 4M 101/USB 2934 - General Fund	(1,629.13)
Bill	06/30/2020	15455a	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Brush/Tree/M...	20 loads lime rock	5845 · Brush/Tree/Sod/Seed	1,629.13
TOTAL						1,629.13
Bill Pmt -Ch...	07/02/2020	23907	Taft Stettinius & Hollister	Client/File: M17707/00012 MLI	100 · 4M 101/USB 2934 - General Fund	(7,000.00)

07/14/20

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June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
Bill	06/30/2020	3546124	808 2020A GO Disposal System Dbt Serv Fd:B. Exp:7760 2020A Disp Sys Bond Is...	2020A GP Disposal System Bonds: Document prep and legal opinion	7760 · 2020A Disp Sys Bond Issue Costs	7,000.00
TOTAL						7,000.00
Bill Pmt -Ch...	07/02/2020	23908	Wash Cty (Rd & Bridge)(Trans & Phys Dev)	Account No. 20490	100 · 4M 101/USB 2934 - General Fund	(1,097.74)
Bill	06/30/2020	175300	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5830 Snow & Ice C...	sand and salt Feb 2020	5830 · Snow & Ice Control	1,097.74
TOTAL						1,097.74
Bill Pmt -Ch...	07/02/2020	23909	WSB (Applicants)	Customer No. 01856	100 · 4M 101/USB 2934 - General Fund	(2,880.62)
Bill	06/30/2020	26	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Afton Creek Preserve Construction Project Management	5310 · Engineering Fees	2,880.62
TOTAL						2,880.62
Bill Pmt -Ch...	07/02/2020	23910	WSB (Bridge Insp/Imp)	Project # R014854 & R014673	100 · 4M 101/USB 2934 - General Fund	(2,942.00)
Bill	06/30/2020	6	122 Bridge Repair & Replacement Fd:7770 Bridge Repair & Replacemnt Exp:7771 ...	Bridge No. 82505 Improvements	7771 · Bridge Replacement - Engineer	2,942.00
TOTAL						2,942.00
Bill Pmt -Ch...	07/01/2020	23911	LMCIT (Prop & Casualty Ins)	CMC1002575-4 Acct# 40002868	100 · 4M 101/USB 2934 - General Fund	(26,912.00)
Bill	06/30/2020	CMC1002575-4	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5525 Ins - Gen'l Liability 410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6069 Insurance -...	CMC1002575-4 Acct# 40002868 5/15/20 to 5/15/21: General Fund CMC1002575-4 Acct# 40002868 5/15/20 to 5/15/21: Sanitary Sewer Portion	5525 · Ins - General Liability 6069 · Insurance - Sanitary Sewer	20,945.00 5,967.00
TOTAL						26,912.00
Bill Pmt -Ch...	07/01/2020	23912	LMCIT (Worker's Comp)	WC1002578-4 Acct# 40002875	100 · 4M 101/USB 2934 - General Fund	(3,647.00)
Bill	06/30/2020	WC1002578-4	100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5024 Worker's Comp Insur...	Worker's Comp 1002578-4 Acct# 40002875 policy period 05/15/2020 - 05/...	5024 · Workers Comp Insurance	3,647.00
TOTAL						3,647.00
Paycheck	07/15/2020	23913	Rielander, Daryl		100 · 4M 101/USB 2934 - General Fund	(57.07)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...		5020 · Maintenance Person	61.80
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...		5051 · Social Security Tax - Employer	3.83
					2205 · Soc Sec Payable - Employer	(3.83)
					2204 · Social Security W/H - Employee	(3.83)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...		5052 · Medicare Tax - Employer	0.90
					2213 · Medicare Payable - Employer	(0.90)
					2212 · Medicare W/H - Employee	(0.90)
TOTAL						57.07
Bill Pmt -Ch...	07/15/2020	23914	Advantage Signs & Graphics, Inc.		100 · 4M 101/USB 2934 - General Fund	(1,536.47)
Bill	06/30/2020	42701	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5860 Signs & Signals	signage	5860 · Signs & Signals	1,536.47
TOTAL						1,536.47
Bill Pmt -Ch...	07/15/2020	23915	Companion Animal Control		100 · 4M 101/USB 2934 - General Fund	(70.00)
Bill	06/30/2020	June 2020	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.1 Public Safety:5605 Animal C...	\$70 Monthly Retainer + Monthly Calls	5605 · Animal Control	70.00
TOTAL						70.00
Bill Pmt -Ch...	07/15/2020	23916	Croix Crystal Water Treatment	cooler lease and water	100 · 4M 101/USB 2934 - General Fund	(13.50)

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07/14/20

Type	Date	Num	Name	Memo	Account	Original Amount
Bill	06/30/2020	64742	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense	rent on hot & cold cooler, bottled water	6030 · Misc Exp - Bldg & Land	13.50
TOTAL						13.50
Bill Pmt -Ch...	07/15/2020	23917	Culligan of Stillwater	Account # 306-01656131-9	100 · 4M 101/USB 2934 - General Fund	(69.80)
Bill	06/30/2020	306x01703303	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6136 Park Utilities	Town Square Park restroom	6136 · Park Utilities	69.80
TOTAL						69.80
Bill Pmt -Ch...	07/15/2020	23918	Frontier Ag & Turf (New Richmond)	Acct No. AFTON002	100 · 4M 101/USB 2934 - General Fund	(219.70)
Bill	06/30/2020	w80557	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.3 Oth Pub Wrks:5920 Repairs...	Z950m 60in susp twe	5920 · Repair & Maint Equipment	219.70
TOTAL						219.70
Bill Pmt -Ch...	07/15/2020	23919	Gopher State One Call	Acct No. MN00128	100 · 4M 101/USB 2934 - General Fund	(12.15)
Bill	06/30/2020	60165	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5870 Other Road M...	CAfton01 FTP Tickets	5870 · Other Road Maintenance	12.15
TOTAL						12.15
Bill Pmt -Ch...	07/15/2020	23920	Highland Sanitation	Acct No. 7208	100 · 4M 101/USB 2934 - General Fund	(17.54)
Bill	06/30/2020	724294	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.2 Public Health:5720 City Hall ...	trash, recycling service	5720 · Refuse Hauling - City Hall	17.54
TOTAL						17.54
Bill Pmt -Ch...	07/15/2020	23921	Menards - Hudson	Account No. 30890280	100 · 4M 101/USB 2934 - General Fund	(49.92)
Bill	06/30/2020	26526	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6050 Supplies	supplies, minor equipment	6050 · Supplies - Bldg & Land	49.92
TOTAL						49.92
Bill Pmt -Ch...	07/15/2020	23922	Petersen Mgmt (Lab Fees)	Cust No. 3477	100 · 4M 101/USB 2934 - General Fund	(1,401.15)
Bill	06/30/2020	107424	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6066 Chemicals ...	Lab fees, Chemicals	6066 · Chemicals & Lab Fees	1,401.15
TOTAL						1,401.15
Bill Pmt -Ch...	07/15/2020	23923	River Valley Printing	Cust No. 1483	100 · 4M 101/USB 2934 - General Fund	(310.00)
Bill	06/30/2020	6894	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5560 Newsletter	1295 4-pg newsletters	5560 · Newsletter Expenses	310.00
TOTAL						310.00
Bill Pmt -Ch...	07/15/2020	23924	Squire House Gardens		100 · 4M 101/USB 2934 - General Fund	(400.00)
Bill	06/30/2020	1100-1240	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6030 Misc Expense	Annuals, soil for pots	6030 · Misc Exp - Bldg & Land	400.00
TOTAL						400.00
Bill Pmt -Ch...	07/15/2020	23925	StarTech Computing, Inc		100 · 4M 101/USB 2934 - General Fund	(1,359.90)
Bill	06/30/2020	5470	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Software	Flex Net Agreement 2/1/20 to 1/31/21 + Other maintenance, equipment, sup...	5510 · Computer Service/Software	172.40
Bill	06/30/2020	5433	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Software	Flex Net Agreement 2/1/20 to 1/31/21 + Other maintenance, equipment, sup...	5510 · Computer Service/Software	250.00
Bill	06/30/2020	5605	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5510 Computer Serv/Software	Flex Net Agreement 2/1/20 to 1/31/21 + Other maintenance, equipment, sup...	5510 · Computer Service/Software	937.50

07/14/20

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TOTAL						1,359.90
Bill Pmt -Ch...	07/15/2020	23926	WSB (3M Working Groups)	R-011907-000 3M Working Groups	100 · 4M 101/USB 2934 - General Fund	(240.00)
Bill	06/30/2020	21	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Engineering Services for 3M Working Groups	5310 · Engineering Fees	240.00
TOTAL						240.00
Bill Pmt -Ch...	07/15/2020	23927	WSB (Utility Permits)	Project R-013274	100 · 4M 101/USB 2934 - General Fund	(428.00)
Bill	06/30/2020	10	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	2020 Utility Permits	5310 · Engineering Fees	428.00
TOTAL						428.00
Bill Pmt -Ch...	07/21/2020	23928	LSCV Fire District (Regular)	Fire Protection Services	100 · 4M 101/USB 2934 - General Fund	(65,912.75)
Bill	07/21/2020	Levy3Qtr20	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.1 Public Safety:5625 Fire & A...	Fire & Ambulance Services: 3rd Quarter 2020	5625 · Fire & Ambulance Services	65,912.75
TOTAL						65,912.75
Bill Pmt -Ch...	07/21/2020	23929	Wash Cty (Sheriff)	Acct No. 20490	100 · 4M 101/USB 2934 - General Fund	(99,578.49)
Bill	06/30/2020	176371	100 Gen'l Fd:B. Exp:B02 Public Safety & Health:B2.1 Public Safety:5635 Police Ser...	Jan to Jun 2020 Police Services	5635 · Police Services	99,578.49
TOTAL						99,578.49
Bill Pmt -Ch...	07/21/2020	23930	Felhaber Larson	File No. 0299687	100 · 4M 101/USB 2934 - General Fund	(416.00)
Bill	06/29/2020	662117	806 PFA Loan Debt Serv:7749 Dwtn Imp - Special Assess Exp	Richard and Kimberly Myhers Condemnation Appeal	7749 · Dwtn Imp - Special Assess Exp	416.00
TOTAL						416.00
Bill Pmt -Ch...	07/21/2020	23931	Felhaber Larson	File No. 0299687	100 · 4M 101/USB 2934 - General Fund	(7,328.00)
Bill	06/30/2020	662112	806 PFA Loan Debt Serv:7749 Dwtn Imp - Special Assess Exp	Village Wastewater Treatment Facility: Special Assessments	7749 · Dwtn Imp - Special Assess Exp	7,328.00
TOTAL						7,328.00
Bill Pmt -Ch...	07/21/2020	23932	Felhaber Larson	File No. 0299687	100 · 4M 101/USB 2934 - General Fund	(14,941.50)
Bill	06/30/2020	662114	806 PFA Loan Debt Serv:7749 Dwtn Imp - Special Assess Exp	Afton St Croix Condemnation Appeal	7749 · Dwtn Imp - Special Assess Exp	14,941.50
TOTAL						14,941.50
Bill Pmt -Ch...	07/21/2020	23933	Felhaber Larson	File No. 0299687	100 · 4M 101/USB 2934 - General Fund	(25,200.00)
Bill	06/30/2020	660789	806 PFA Loan Debt Serv:7749 Dwtn Imp - Special Assess Exp	Afton St Croix Condemnation Appeal	7749 · Dwtn Imp - Special Assess Exp	25,200.00
TOTAL						25,200.00
Bill Pmt -Ch...	07/21/2020	23934	Tri-County Services (Snow Ice)		100 · 4M 101/USB 2934 - General Fund	(600.00)
Bill	06/30/2020	794	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5830 Snow & Ice C...	Snow & Ice Control: Set up salt bin, haul jersey barriers	5830 · Snow & Ice Control	600.00
TOTAL						600.00
Bill Pmt -Ch...	07/21/2020	23935	Tri-County Services (Streets, Other)		100 · 4M 101/USB 2934 - General Fund	(6,317.50)
Bill	06/30/2020	796	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5835 Surf Maint/Bit...	Mt Hope road repair	5835 · Surf Maint/Bit Patch/Sweeping	665.00

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Bill	06/30/2020	790	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Brush/Tree/M...	Mow ditches	5845 · Brush/Tree/Sod/Seed	5,367.50	
Bill	06/30/2020	797	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Brush/Tree/M...	Rinta driveway	5845 · Brush/Tree/Sod/Seed	285.00	
TOTAL						6,317.50	
Bill Pmt -Ch...	07/21/2020	23936	Tri-County Services (Streets, Other)		100 · 4M 101/USB 2934 - General Fund	(4,055.00)	
Bill	06/30/2020	795	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Brush/Tree/M...	Storm damages May and June 2020	5845 · Brush/Tree/Sod/Seed	4,055.00	
TOTAL						4,055.00	
Bill Pmt -Ch...	07/21/2020	23937	Tri-County Services (Streets, Other)		100 · 4M 101/USB 2934 - General Fund	(17,414.30)	
Bill	06/30/2020	793	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5845 Brush/Tree/M...	60th St brushing, trimming	5845 · Brush/Tree/Sod/Seed	6,687.50	
Bill	06/30/2020	792	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5835 Surf Maint/Bit...	Class 5 limerock to 60th St	5835 · Surf Maint/Bit Patch/Sweeping	10,726.80	
TOTAL						17,414.30	
Bill Pmt -Ch...	07/21/2020	23938	Tri-County Services (Streets, Other)		100 · 4M 101/USB 2934 - General Fund	(2,580.17)	
Bill	06/30/2020	789	122 Bridge Repair & Replacement Fd:7770 Bridge Repair & Replacemnt Exp:7773 ...	Putnam Bridge	7773 · Bridge Repairs & Maintenance	2,580.17	
TOTAL						2,580.17	
Bill Pmt -Ch...	07/21/2020	23939	Brown Welding		100 · 4M 101/USB 2934 - General Fund	(1,264.65)	
Bill	06/30/2020	Putnam Bridge	122 Bridge Repair & Replacement Fd:7770 Bridge Repair & Replacemnt Exp:7773 ...	Putnam Bridge Fence	7773 · Bridge Repairs & Maintenance	1,264.65	
TOTAL						1,264.65	
Bill Pmt -Ch...	07/21/2020	23940	MacDonald & Mack Architects		100 · 4M 101/USB 2934 - General Fund	(7,450.00)	
Bill	06/30/2020	22014-001	550 Special Activities Fd - General:B. Cable Comm/July 4th/Comm Garden:4817 M...	Afton Historical Museum Project: Condition assessment	4817 · MN Hist Pres Design Guidelines	7,450.00	
TOTAL						7,450.00	
Bill Pmt -Ch...	07/21/2020	23941	Niedzwiecki, Thomas H.		Accounting Services	100 · 4M 101/USB 2934 - General Fund	(2,480.00)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5304 Accounting Fees	Monthly charge for Accounting Services per Contract Effective 6/1/19	5304 · Accounting Fees	2,400.00	
			100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies	Monthly charge for QB Pro software including Payroll Service & Forms	5540 · Office Supplies	40.00	
			100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5540 Office Supplies	Mailing envelopes, copies of invoices, misc postage	5540 · Office Supplies	40.00	
TOTAL						2,480.00	
Bill Pmt -Ch...	07/21/2020	23942	Stensland Inspection Services		Building Inspection Services	100 · 4M 101/USB 2934 - General Fund	(2,743.00)
Bill	06/30/2020	June2020	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5350 Bldg Insp Fees - Stensland	Bldg Permits	5350 · Building Insp Fees - Stensland	2,743.00	
TOTAL						2,743.00	
Bill Pmt -Ch...	07/21/2020	23943	WSB (Applicants)		Customer No. 01856	100 · 4M 101/USB 2934 - General Fund	(3,808.50)
Bill	06/30/2020	31	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Afton Creek Preserve Construction Project Management	5310 · Engineering Fees	3,808.50	
TOTAL						3,808.50	
Bill Pmt -Ch...	07/21/2020	23944	WSB (City Engineer)		R-015364-000 City Engineer	100 · 4M 101/USB 2934 - General Fund	(11,462.75)
Bill	06/30/2020	5	805 City Infrastructure Imp Fd:B. Exp:8899 Village Improvements	Downtown: tree inspection, levee certification, PFA	8899 · Village Improvements	1,283.00	
			120 Street Imp Capital Fd:B. Exp:7984 River Road Sanitary Options	River Road	7984 · River Road Sanitary Options	2,010.00	

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
			100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Afton Creek Preserve Escrow	5310 · Engineering Fees	129.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	Lisa Buck Escrow	5310 · Engineering Fees	96.00
			120 Street Imp Capital Fd:B. Exp:7938 Culvert Repair & Replacement	30th St Culvert	7938 · Culvert Repair & Replacement	1,546.00
			120 Street Imp Capital Fd:B. Exp:7938 Culvert Repair & Replacement	Valley Branch Culvert	7938 · Culvert Repair & Replacement	2,900.50
			100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5310 Engineering Fees	City Engineering	5310 · Engineering Fees	3,498.25
TOTAL						11,462.75
Bill Pmt -Ch...	07/21/2020	23945	WSB (River Road Sanitary Sewer)	Project R-014030-000	100 · 4M 101/USB 2934 - General Fund	(11,009.50)
Bill	06/30/2020	12	120 Street Imp Capital Fd:B. Exp:7984 River Road Sanitary Options	River Road Sanitary Sewer Improvements	7984 · River Road Sanitary Options	11,009.50
TOTAL						11,009.50
Bill Pmt -Ch...	07/21/2020	23946	Minnesota Public Facilities Authority	Afton cw01 & cw02	100 · 4M 101/USB 2934 - General Fund	(122,953.15)
Bill	07/21/2020	PFA Loan Py...	806 PFA Loan Debt Serv:7744 2017 L054 Storm Wtr PFA Int Exp	PFA Interest: Stormwater MPFA CWRFL 054 FY17	7744 · 2017 Storm Wtr PFA Interest Exp	4,897.86
			806 PFA Loan Debt Serv:7754 2017 L054 Storm Wtr PFA Principal	PFA Principal: Stormwater MPFA CWRFL 054 FY17	7754 · 2017 L054 Storm Wtr PFA Princpl	52,000.00
			806 PFA Loan Debt Serv:7745 2017 L055 Sanitary Sewer PFA Int Exp	PFA Interest: Sanitary Sewer MPFA CWRFL 055 FY17	7745 · 2017 L055 Sanit Swr PFA Int Exp	6,055.29
			806 PFA Loan Debt Serv:7755 2017 L055 Sanitary Sewer PFA Princpl	PFA Principal: Sanitary Sewer MPFA CWRFL 055 FY17	7755 · 2017 L055 Sanit Swr PFA Princpl	60,000.00
TOTAL						122,953.15
Bill Pmt -Ch...	07/21/2020	23947	US Bank (2014A Road Bd Pymts)	Acct # 002032SNS Abatement Refunding Bond Series 2014A	100 · 4M 101/USB 2934 - General Fund	(36,150.00)
Bill	07/21/2020	8/1/20 2014A ...	725 2014A Road Debt Serv Fd:7735 2014A Refund Bds Int Exp	GO Tax Abatement 2014A: Interest due 8/1/20	7735 · 2014A Refunding Bds Int Exp	36,150.00
TOTAL						36,150.00
Bill Pmt -Ch...	07/21/2020	23948	US Bank (2017B Road Bd Pymt)	Acct # 0045524NS GO Abatement Bond Series 2017B	100 · 4M 101/USB 2934 - General Fund	(30,437.50)
Bill	07/21/2020	8/1/20 2017B ...	726 2017B Road Debt Serv Fd:7742 2017B Int Exp \$3.5MM Road Bond	GO Tax Abatement 2017B: Interest due 8/1/20	7742 · 2017B Int Exp \$3.5MM Road Bond	30,437.50
TOTAL						30,437.50
Bill Pmt -Ch...	07/21/2020	23949	Holstad & Knaak, PLC	Legal Services	100 · 4M 101/USB 2934 - General Fund	(4,500.00)
Bill	06/30/2020	June2020	100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5321 General - Legal Fees	Civil	5321 · Legal Fees - General	2,171.58
			100 Gen'l Fd:B. Exp:B01 G & A:B1.2 Prof Serv:5320 Prosecution - Legal Fees	Criminal	5320 · Legal Fees - Prosecution	2,328.42
TOTAL						4,500.00
Bill Pmt -Ch...	07/21/2020	23950	Geislinger and Sons, Inc.	Project 014030-000	100 · 4M 101/USB 2934 - General Fund	(16,776.96)
Bill	06/30/2020	River Road Pa...	120 Street Imp Capital Fd:B. Exp:7984 River Road Sanitary Options	Proj 014030-000 River Road Sanitary Sewer Improvement Project: Pay Vou...	7984 · River Road Sanitary Options	16,776.96
TOTAL						16,776.96
Bill Pmt -Ch...	07/21/2020	23951	Geislinger and Sons, Inc.	Proj 01856-52	100 · 4M 101/USB 2934 - General Fund	(159,676.33)
Bill	06/30/2020	PayVoucher#2...	805 City InfraStructure Imp Fd:B. Exp:8901 Septic Construction	Proj 01856-52: Downtown Village Imp: Pay Voucher #23 Final	8901 · Septic Construction	159,676.33
TOTAL						159,676.33
Paycheck	06/30/2020	202007001	Johnson, Kenneth L	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	1,296.26
				Direct Deposit	2302 · PERA Payable - Staff	(84.26)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5053 · PERA Contribution - Employer	97.22
				Direct Deposit	2302 · PERA Payable - Staff	(97.22)

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	450.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	2210 · Federal Withholding	(118.00)
				Direct Deposit	5051 · Social Security Tax - Employer	80.37
				Direct Deposit	2205 · Soc Sec Payable - Employer	(80.37)
				Direct Deposit	2204 · Social Security W/H - Employee	(80.37)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5052 · Medicare Tax - Employer	18.80
				Direct Deposit	2213 · Medicare Payable - Employer	(18.80)
				Direct Deposit	2212 · Medicare W/H - Employee	(18.80)
				Direct Deposit	2208 · MN State Withholding	(56.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(1,388.83)
TOTAL						0.00
Paycheck	06/30/2020	202007002	Thomas, Mason R	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	285.83
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5051 · Social Security Tax - Employer	17.72
				Direct Deposit	2205 · Soc Sec Payable - Employer	(17.72)
				Direct Deposit	2204 · Social Security W/H - Employee	(17.72)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5052 · Medicare Tax - Employer	4.14
				Direct Deposit	2213 · Medicare Payable - Employer	(4.14)
				Direct Deposit	2212 · Medicare W/H - Employee	(4.14)
				Direct Deposit	2208 · MN State Withholding	(7.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(256.97)
TOTAL						0.00
Paycheck	06/30/2020	202007003	Yoho, Julie D	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5008 · Office Manager Wages	2,133.60
				Direct Deposit	2302 · PERA Payable - Staff	(138.68)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5053 · PERA Contribution - Employer	160.02
				Direct Deposit	2302 · PERA Payable - Staff	(160.02)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5018 · Insurance Benefits	18.80
				Direct Deposit	2325 · Madison Life ST & LT Disability	(18.80)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	2325 · Madison Life ST & LT Disability	(35.87)
				Direct Deposit	2210 · Federal Withholding	(142.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5051 · Social Security Tax - Employer	132.28
				Direct Deposit	2205 · Soc Sec Payable - Employer	(132.28)
				Direct Deposit	2204 · Social Security W/H - Employee	(132.28)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5052 · Medicare Tax - Employer	30.94
				Direct Deposit	2213 · Medicare Payable - Employer	(30.94)
				Direct Deposit	2212 · Medicare W/H - Employee	(30.94)
				Direct Deposit	2208 · MN State Withholding	(71.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(1,582.83)
TOTAL						0.00
Paycheck	06/30/2020	202007004	Moorse, Ronald J	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5004 · Administrator Salary	4,129.17
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5053 · PERA Contribution - Employer	309.69
				Direct Deposit	2302 · PERA Payable - Staff	(309.69)
				Direct Deposit	2302 · PERA Payable - Staff	(268.40)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5037 · Flexible Benefits	1,155.50
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5018 · Insurance Benefits	28.40
				Direct Deposit	2325 · Madison Life ST & LT Disability	(28.40)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	2325 · Madison Life ST & LT Disability	(108.81)
				Direct Deposit	2210 · Federal Withholding	(1,094.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5051 · Social Security Tax - Employer	327.65
				Direct Deposit	2205 · Soc Sec Payable - Employer	(327.65)
				Direct Deposit	2204 · Social Security W/H - Employee	(327.65)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5052 · Medicare Tax - Employer	76.63

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
				Direct Deposit	2213 · Medicare Payable - Employer	(76.63)
				Direct Deposit	2212 · Medicare W/H - Employee	(76.63)
				Direct Deposit	2208 · MN State Withholding	(284.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(3,125.18)
TOTAL						0.00
Liability Che...	06/29/2020	202007005	QuickBooks Payroll Service	Created by Payroll Service on 06/26/2020	100 · 4M 101/USB 2934 - General Fund	(6,360.81)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5505 Bank/IRS Fees/Sales Tax QuickBooks Payroll Service	Fee for 4 direct deposit(s) at \$1.75 each Created by Payroll Service on 06/26/2020	5505 · Bank/IRS/Sales Tax	7.00
					2110 · Direct Deposit Liabilities	6,353.81
TOTAL						6,360.81
Liability Che...	06/30/2020	202007006	PERA (Staff)	3030-01 210990	100 · 4M 101/USB 2934 - General Fund	(1,058.27)
				3030-01 210990	2302 · PERA Payable - Staff	491.34
				3030-01 210990	2302 · PERA Payable - Staff	566.93
TOTAL						1,058.27
Liability Che...	06/30/2020	202007007	IRS (US Treasury)	41-1290668	100 · 4M 101/USB 2934 - General Fund	(2,731.06)
				41-1290668	2210 · Federal Withholding	1,354.00
				41-1290668	2213 · Medicare Payable - Employer	130.51
				41-1290668	2212 · Medicare W/H - Employee	130.51
				41-1290668	2205 · Soc Sec Payable - Employer	558.02
				41-1290668	2204 · Social Security W/H - Employee	558.02
TOTAL						2,731.06
Liability Che...	06/30/2020	202007008	MN Dept of Revenue	5050730	100 · 4M 101/USB 2934 - General Fund	(418.00)
				5050730	2208 · MN State Withholding	418.00
TOTAL						418.00
Bill Pmt -Ch...	06/30/2020	202007009	Comcast {City Hall} 8772105 720001508	Account # 8772 10 572 0001508	100 · 4M 101/USB 2934 - General Fund	(316.26)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5565 Telephone	Comcast Business Internet and Voice - City Hall	5565 · Telephone	316.26
TOTAL						316.26
Bill Pmt -Ch...	06/30/2020	202007010	Comcast {Garage} 8772105 720011622		100 · 4M 101/USB 2934 - General Fund	(144.22)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6046 Garage Exp - Sheriff, PW	Sheriff Phone and Internet	6046 · City Garage - 3033 Sheriff & PW	144.22
TOTAL						144.22
Bill Pmt -Ch...	06/30/2020	202007011	CP Energy {EFT} 528 0051		100 · 4M 101/USB 2934 - General Fund	(53.51)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6010 Gas Heat - 3033 City Hall	3033 St Croix Trl S Meter: M20111533249 Acct# 5280051-3	6010 · Gas Heat - 3033 City Hall	53.51
TOTAL						53.51
Bill Pmt -Ch...	06/30/2020	202007012	CP Energy {EFT} 621 7601	Meter # M19702480474 Account No. 6217601-1	100 · 4M 101/USB 2934 - General Fund	(31.88)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6045 City Garage Exp - 1675 Stagecoach	1675 Stagecoach Trl S: City Garage	6045 · Garage Exp - 1675 Stagecoach	31.88
TOTAL						31.88

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
Bill Pmt -Ch...	06/30/2020	202007013	CP Energy {EFT} 1080 5248	Acct#10805248-1	100 · 4M 101/USB 2934 - General Fund	(28.89)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6046 Garage Exp - Sheriff, PW	Acct#10805248-1 M20171727088 3033 St Croix Trl S Sheriff Garage (need...	6046 · City Garage - 3033 Sheriff & PW	28.89
TOTAL						28.89
Bill Pmt -Ch...	06/30/2020	202007014	Quadient Finance {EFT 146} (Funding)	Acct No. 7900 0440 8026 2888	100 · 4M 101/USB 2934 - General Fund	(300.00)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5550 Postage	Quadient Postage Funding Account \$1,200 Credit	5550 · Postage	300.00
TOTAL						300.00
Bill Pmt -Ch...	06/30/2020	202007015	US Bank {EFT} Equip Finance	Acct# 1473396 Contract # 500-0466085-000	100 · 4M 101/USB 2934 - General Fund	(230.00)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5516 Copier Lease	Ricoh C4503 copier lease S/N E175MC60291	5516 · Copier Lease	230.00
TOTAL						230.00
Bill Pmt -Ch...	06/30/2020	202007016	Xcel Energy {EFT} (51-0895 3451)	Acct: 51-0895345-1 Meter# 000071246886	100 · 4M 101/USB 2934 - General Fund	(20.57)
Bill	06/30/2020	063020	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	Eastwood - Septic Property 2318 St Croix Trl S Meter# 96987678 Premises...	6068 · Electricity - Lift Stations	20.57
TOTAL						20.57
Bill Pmt -Ch...	06/30/2020	202007017	Xcel Energy {EFT} (51-11935 1802)		100 · 4M 101/USB 2934 - General Fund	(11.79)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6136 Park Utilities	Acct No. 51-001119351802 Park Restroom: 3418 St Croix Trl S. Meter 2...	6136 · Park Utilities	11.79
TOTAL						11.79
Bill Pmt -Ch...	06/30/2020	202007018	Xcel Energy {EFT} (51-11957 7713)		100 · 4M 101/USB 2934 - General Fund	(75.24)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5850 Street Lighting	Acct No. 51-0011957771-3 : 3293 SAINT CROIX TRL S. Meter 7626901...	5850 · Street Lighting	75.24
TOTAL						75.24
Bill Pmt -Ch...	06/30/2020	202007019	Xcel Energy {EFT} (51-11957 8190)		100 · 4M 101/USB 2934 - General Fund	(496.23)
Bill	06/30/2020	063020	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	Acct No. 51-00119578190 : Lift Station 15995 UPPER 34TH ST S. Meter ...	6068 · Electricity - Lift Stations	496.23
TOTAL						496.23
Bill Pmt -Ch...	06/30/2020	202007020	Xcel Energy {EFT} (51-11983 9027)	Acct No. 51-0011983902-7	100 · 4M 101/USB 2934 - General Fund	(800.40)
Bill	06/30/2020	063020	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	Acct No. 51-0011983902-7 Pumphouse for Water Treatment: 2318 St Croi...	6068 · Electricity - Lift Stations	800.40
TOTAL						800.40
Bill Pmt -Ch...	06/30/2020	202007021	Xcel Energy {EFT} (51-5247 6229)	201 Project: 4105 River Rd Meter No. 0098359441	100 · 4M 101/USB 2934 - General Fund	(77.19)
Bill	06/30/2020	063020	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	201 Project: 4105 River Rd Meter No. 0098359441	6068 · Electricity - Lift Stations	77.19
TOTAL						77.19
Bill Pmt -Ch...	06/30/2020	202007022	Xcel Energy {EFT} (51-5371 3569)	51-53713569 15891 34th St. S: Automatic Protective Lighting Service	100 · 4M 101/USB 2934 - General Fund	(16.28)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6020 Electricity - Xcel Energy	51-53713569 15891 34th St. S: Automatic Protective Lighting Service	6020 · Electricity	16.28

07/14/20

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
TOTAL						16.28
Bill Pmt -Ch...	06/30/2020	202007023	Xcel Energy {EFT} (51-5700 4296)	Acct #51-5700429-6 Meter #0077765464	100 · 4M 101/USB 2934 - General Fund	(116.23)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6020 Electricity - Xcel Energy	3033 St. Croix Trail S Meter #77765464 Premises #303084797 City Hall &...	6020 · Electricity	116.23
TOTAL						116.23
Bill Pmt -Ch...	06/30/2020	202007024	Xcel Energy {EFT} (51-6223 9212)	Acct No. 51-6223921-2 Street Lighting	100 · 4M 101/USB 2934 - General Fund	(58.55)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B03 Strts, Rehab & Pub Wks:B3.1 Streets:5850 Street Lighting	Street Lighting Service	5850 · Street Lighting	58.55
TOTAL						58.55
Bill Pmt -Ch...	06/30/2020	202007025	Xcel Energy {EFT} (51-6257 8029)	3420 St. Croix Trl S Meter #0096987678	100 · 4M 101/USB 2934 - General Fund	(139.70)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B05 Parks & Recreation:6136 Park Utilities	Town Square Park 3420 St. Croix Trl S Meter #96987678 Premises 30332...	6136 · Park Utilities	139.70
TOTAL						139.70
Bill Pmt -Ch...	06/30/2020	202007026	Xcel Energy {EFT} (51-6852 6052)	Acct #51-6852605-2 Install No. 184509 & 184508	100 · 4M 101/USB 2934 - General Fund	(28.44)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6020 Electricity - Xcel Energy	Automatic Protective Light Service Install No. 184509 & 184508	6020 · Electricity	28.44
TOTAL						28.44
Bill Pmt -Ch...	06/30/2020	202007027	Xcel Energy {EFT} (51-7576 3714)	Acct#51-7576371-4 Meter #19818068	100 · 4M 101/USB 2934 - General Fund	(95.63)
Bill	06/30/2020	063020	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6045 City Garage Exp - 1675 Stagecoach	City Garage 1675 Stagecoach Trl S: Acct#51-7576371-4 Meter #19818068 ...	6045 · Garage Exp - 1675 Stagecoach	95.63
TOTAL						95.63
Bill Pmt -Ch...	06/30/2020	202007028	Xcel Energy {EFT} (51-0895 3451)	Acct: 51-0895345-1 Meter# 000071246886	100 · 4M 101/USB 2934 - General Fund	(20.68)
Bill	06/30/2020	063020	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	Eastwood - Septic Property 2318 St Croix Trl S Meter# 96987678 Premises...	6068 · Electricity - Lift Stations	20.68
TOTAL						20.68
Bill Pmt -Ch...	06/30/2020	202007029	Xcel Energy {EFT} (51-11983 9027)	Acct No. 51-0011983902-7	100 · 4M 101/USB 2934 - General Fund	(863.56)
Bill	06/30/2020	063020a	410 Sanitary Sewer Utility:B. Exp:6060 Sanitary Sewer Oper - Exp:6068 Electric - ...	Acct No. 51-0011983902-7 Pumphouse for Water Treatment: 2318 St Croi...	6068 · Electricity - Lift Stations	863.56
TOTAL						863.56
Bill Pmt -Ch...	06/30/2020	202007030	Xcel Energy {EFT} (51-7576 3714)	Acct#51-7576371-4 Meter #19818068	100 · 4M 101/USB 2934 - General Fund	(68.14)
Bill	06/30/2020	063020a	100 Gen'l Fd:B. Exp:B04 Bldgs & Land:6045 City Garage Exp - 1675 Stagecoach	City Garage 1675 Stagecoach Trl S: Acct#51-7576371-4 Meter #19818068 ...	6045 · Garage Exp - 1675 Stagecoach	68.14
TOTAL						68.14
Bill Pmt -Ch...	06/30/2020	202007031	MN Dept of Labor & Ind (Bldg Surchg)	Building Surcharges Cert #2164	100 · 4M 101/USB 2934 - General Fund	(1,668.48)
Bill	06/30/2020	2nd Qtr 2020		2nd Quarter 2020 Building Surcharges Cert #2164	2121 · Afton Bldg Surcharges Payable	1,668.48
TOTAL						1,668.48
Bill Pmt -Ch...	07/07/2020	202007032	LMCIT (MEL Ins)	MEL 1002576-4 Acct# 40002868	100 · 4M 101/USB 2934 - General Fund	(2,493.00)

City of Afton
Claims to be Approved
June 17 through July 21, 2020

07/14/20

Type	Date	Num	Name	Memo	Account	Original Amount
Bill	06/30/2020	MEL1002576-4	100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5525 Ins - Gen'l Liability	MEL 1002576-4 Acct# 40002868 (Municipal Excess Liability) 5/15/20 to 5...	5525 · Ins - General Liability	2,493.00
TOTAL						2,493.00
Paycheck	07/15/2020	202007033	Cernohous, Cole G	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	185.40
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5051 · Social Security Tax - Employer	11.49
				Direct Deposit	2205 · Soc Sec Payable - Employer	(11.49)
				Direct Deposit	2204 · Social Security W/H - Employee	(11.49)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5052 · Medicare Tax - Employer	2.69
				Direct Deposit	2213 · Medicare Payable - Employer	(2.69)
				Direct Deposit	2212 · Medicare W/H - Employee	(2.69)
				Direct Deposit	2110 · Direct Deposit Liabilities	(171.22)
TOTAL						0.00
Paycheck	07/15/2020	202007034	Johnson, Kenneth L	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	1,310.05
				Direct Deposit	2302 · PERA Payable - Staff	(85.15)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5053 · PERA Contribution - Employer	98.25
				Direct Deposit	2302 · PERA Payable - Staff	(98.25)
				Direct Deposit	2210 · Federal Withholding	(120.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5051 · Social Security Tax - Employer	81.23
				Direct Deposit	2205 · Soc Sec Payable - Employer	(81.23)
				Direct Deposit	2204 · Social Security W/H - Employee	(81.23)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5052 · Medicare Tax - Employer	18.99
				Direct Deposit	2213 · Medicare Payable - Employer	(18.99)
				Direct Deposit	2212 · Medicare W/H - Employee	(18.99)
				Direct Deposit	2208 · MN State Withholding	(57.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(947.68)
TOTAL						0.00
Paycheck	07/15/2020	202007035	Thomas, Mason R	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5020 · Maintenance Person	417.15
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5051 · Social Security Tax - Employer	25.87
				Direct Deposit	2205 · Soc Sec Payable - Employer	(25.87)
				Direct Deposit	2204 · Social Security W/H - Employee	(25.87)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5020 Gen'l Maint Wages &...	Direct Deposit	5052 · Medicare Tax - Employer	6.05
				Direct Deposit	2213 · Medicare Payable - Employer	(6.05)
				Direct Deposit	2212 · Medicare W/H - Employee	(6.05)
				Direct Deposit	2208 · MN State Withholding	(14.00)
				Direct Deposit	2110 · Direct Deposit Liabilities	(371.23)
TOTAL						0.00
Paycheck	07/15/2020	202007036	Yoho, Julie D	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5008 · Office Manager Wages	2,352.00
				Direct Deposit	2302 · PERA Payable - Staff	(152.88)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5053 · PERA Contribution - Employer	176.40
				Direct Deposit	2302 · PERA Payable - Staff	(176.40)
				Direct Deposit	2210 · Federal Withholding	(166.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5051 · Social Security Tax - Employer	145.83
				Direct Deposit	2205 · Soc Sec Payable - Employer	(145.83)
				Direct Deposit	2204 · Social Security W/H - Employee	(145.83)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5008 Office Manager Wag...	Direct Deposit	5052 · Medicare Tax - Employer	34.10
				Direct Deposit	2213 · Medicare Payable - Employer	(34.10)
				Direct Deposit	2212 · Medicare W/H - Employee	(34.10)
				Direct Deposit	2208 · MN State Withholding	(82.00)

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

07/14/20

Type	Date	Num	Name	Memo	Account	Original Amount
				Direct Deposit	2110 - Direct Deposit Liabilities	(1,771.19)
TOTAL						0.00
Paycheck	07/15/2020	202007037	Moorse, Ronald J	Direct Deposit	100 - 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5004 - Administrator Salary	4,129.17
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5053 - PERA Contribution - Employer	309.69
				Direct Deposit	2302 - PERA Payable - Staff	(309.69)
				Direct Deposit	2302 - PERA Payable - Staff	(268.40)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5037 - Flexible Benefits	1,155.50
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	2210 - Federal Withholding	(1,094.00)
				Direct Deposit	5051 - Social Security Tax - Employer	327.65
				Direct Deposit	2205 - Soc Sec Payable - Employer	(327.65)
				Direct Deposit	2204 - Social Security W/H - Employee	(327.65)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5004 Administrator Wages...	Direct Deposit	5052 - Medicare Tax - Employer	76.63
				Direct Deposit	2213 - Medicare Payable - Employer	(76.63)
				Direct Deposit	2212 - Medicare W/H - Employee	(76.63)
				Direct Deposit	2208 - MN State Withholding	(284.00)
				Direct Deposit	2110 - Direct Deposit Liabilities	(3,233.99)
TOTAL						0.00
Paycheck	07/15/2020	202007038	Nelson, Randall P	Direct Deposit	100 - 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5002 - Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	2303 - PERA Payable - Council	(10.00)
				Direct Deposit	5053 - PERA Contribution - Employer	10.00
				Direct Deposit	2303 - PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5052 - Medicare Tax - Employer	2.90
				Direct Deposit	2213 - Medicare Payable - Employer	(2.90)
				Direct Deposit	2212 - Medicare W/H - Employee	(2.90)
				Direct Deposit	2110 - Direct Deposit Liabilities	(187.10)
TOTAL						0.00
Paycheck	07/15/2020	202007039	Palmquist, William B	Direct Deposit	100 - 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5002 - Mayor & Council Wages	300.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	2303 - PERA Payable - Council	(15.00)
				Direct Deposit	5053 - PERA Contribution - Employer	15.00
				Direct Deposit	2303 - PERA Payable - Council	(15.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5052 - Medicare Tax - Employer	4.35
				Direct Deposit	2213 - Medicare Payable - Employer	(4.35)
				Direct Deposit	2212 - Medicare W/H - Employee	(4.35)
				Direct Deposit	2110 - Direct Deposit Liabilities	(280.65)
TOTAL						0.00
Paycheck	07/15/2020	202007040	Perkins, Anne E	Direct Deposit	100 - 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5002 - Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	2303 - PERA Payable - Council	(10.00)
				Direct Deposit	5053 - PERA Contribution - Employer	10.00
				Direct Deposit	2303 - PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5052 - Medicare Tax - Employer	2.90
				Direct Deposit	2213 - Medicare Payable - Employer	(2.90)
				Direct Deposit	2212 - Medicare W/H - Employee	(2.90)
				Direct Deposit	2110 - Direct Deposit Liabilities	(187.10)
TOTAL						0.00

City of Afton
Claims to be Approved
 June 17 through July 21, 2020

07/14/20

Type	Date	Num	Name	Memo	Account	Original Amount
Paycheck	07/15/2020	202007041	Ross, Stanley A	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	2303 · PERA Payable - Council	(10.00)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5053 · PERA Contribution - Employer	10.00
				Direct Deposit	2303 · PERA Payable - Council	(10.00)
				Direct Deposit	5052 · Medicare Tax - Employer	2.90
				Direct Deposit	2213 · Medicare Payable - Employer	(2.90)
				Direct Deposit	2212 · Medicare W/H - Employee	(2.90)
				Direct Deposit	2110 · Direct Deposit Liabilities	(187.10)
TOTAL						0.00
Paycheck	07/15/2020	202007042	Wroblewski, Lucia B	Direct Deposit	100 · 4M 101/USB 2934 - General Fund	0.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5002 · Mayor & Council Wages	200.00
			100 Gen'l Fd:B. Exp:B01 G & A:B1.1 Wages & Benefits:5002 Mayor & Council Wa...	Direct Deposit	5053 · PERA Contribution - Employer	10.00
				Direct Deposit	2303 · PERA Payable - Council	(10.00)
				Direct Deposit	2303 · PERA Payable - Council	(10.00)
				Direct Deposit	5052 · Medicare Tax - Employer	2.90
				Direct Deposit	2213 · Medicare Payable - Employer	(2.90)
				Direct Deposit	2212 · Medicare W/H - Employee	(2.90)
				Direct Deposit	2110 · Direct Deposit Liabilities	(187.10)
TOTAL						0.00
Liability Che...	07/14/2020	202007043	QuickBooks Payroll Service	Created by Payroll Service on 07/12/2020	100 · 4M 101/USB 2934 - General Fund	(7,541.86)
			100 Gen'l Fd:B. Exp:B01 G & A:B1.4 Oth Exp:5505 Bank/IRS Fees/Sales Tax	Fee for 10 direct deposit(s) at \$1.75 each	5505 · Bank/IRS/Sales Tax	17.50
			QuickBooks Payroll Service	Created by Payroll Service on 07/12/2020	2110 · Direct Deposit Liabilities	7,524.36
TOTAL						7,541.86
Liability Che...	07/15/2020	202007044	PERA (Council)	3030-51 207620	100 · 4M 101/USB 2934 - General Fund	(110.00)
				3030-51 207620	2303 · PERA Payable - Council	55.00
				3030-51 207620	2303 · PERA Payable - Council	55.00
TOTAL						110.00
Liability Che...	07/15/2020	202007045	PERA (Staff)	3030-01 210990	100 · 4M 101/USB 2934 - General Fund	(1,090.77)
				3030-01 210990	2302 · PERA Payable - Staff	506.43
				3030-01 210990	2302 · PERA Payable - Staff	584.34
TOTAL						1,090.77
Liability Che...	07/15/2020	202007046	IRS (US Treasury)	41-1290668	100 · 4M 101/USB 2934 - General Fund	(2,882.42)
				41-1290668	2210 · Federal Withholding	1,380.00
				41-1290668	2213 · Medicare Payable - Employer	155.31
				41-1290668	2212 · Medicare W/H - Employee	155.31
				41-1290668	2205 · Soc Sec Payable - Employer	595.90
				41-1290668	2204 · Social Security W/H - Employee	595.90
TOTAL						2,882.42
Liability Che...	07/15/2020	202007047	MN Dept of Revenue	5050730	100 · 4M 101/USB 2934 - General Fund	(437.00)
				5050730	2208 · MN State Withholding	437.00

07/14/20

City of Afton
Claims to be Approved
June 17 through July 21, 2020

Type	Date	Num	Name	Memo	Account	Original Amount
TOTAL						437.00

RESOLUTION 2020-37

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION APPROVING 4M FUND TRANSFERS
FOR JUNE OF 2020**

BE IT RESOLVED THAT the City Council of the City of Afton, County of Washington, Minnesota, authorizes the transfer of the following sums of money between the City's 4M Fund Accounts, as detailed in Exhibit A – 4M Fund Transfers – Month of JUNE of 2020.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moore, City Administrator

Motion by:

Second by:

Ross:

Nelson:

Wroblewski:

Palmquist:

Perkins:

City of Afton
Exhibit A: 4M Fund Transfers

A	B	C	D	E
1	Month of: Jun-20			
2	4M Fund Accounts			
3	<u>#</u>	<u>From</u>	<u>To</u>	<u>Amount</u> <u>Comments</u>
4	1	100 - 4M101 General	120 - 4M116 - Street Improvement	\$85,250.00 1st Half 2020 Levy re. Street Improvements
5	2	100 - 4M101 General	122 - 4M117 - Bridge Replacement Fund	\$25,500.00 1st Half 2020 Levy re. Bridge Replacement
6	3	100 - 4M101 General	500 - 4M111 Fire Dist Debt Service	\$24,532.00 1st Half 2020 Fire Dist Debt Serv Levy
7	4	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$1,750.00 1st Half 2020 Levy re. Stormwater
8	5	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$2,750.00 1st Half 2020 Levy re. Flood Control
9	6	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$250.00 1st Half 2020 Levy re. Codification
10	7	100 - 4M101 General	250 4M105 Special Reserve Fund	\$100.00 Full Year 2019 Levy re. Special Reserve
11	8	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$1,750.00 1st Half 2020 Levy re. Comp Plan
12	9	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$1,250.00 1st Half 2020 Levy re. Vehicle/Equipment Replacement
13	10	100 - 4M101 General	808 - 4M123 2020A Disposal System Debt Serv Bond Fund	\$47,500.00 1st Half 2020 DNR Match Levy
14	11	100 - 4M101 General	806 - 4M122 - PFA Loan Debt Serv	\$36,000.00 1st Half 2020 PFA Debt Service Levy
15	12	100 - 4M101 General	808 - 4M123 2020A Disposal System Debt Serv Bond Fund	\$21,000.00 1st Half 2020 Temp Imp Bd Debt Service Levy
16	13	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$500.00 1st Half 2020 Levy re. MN Unemployment Claims
17	14	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$3,500.00 1st Half 2020 Levy re. Elections
18	15	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$100.00 Full Year 2019 Levy re. Audit & Legal Reserve
19	16	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$2,750.00 1st Half 2020 Levy re. Parks Capital, Pedestrian Bike Trail/Bridge
20	17	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$250.00 1st Half 2020 Levy re. Sidewalk
21	18	100 - 4M101 General	115 - 4M104 - Bldg & Land Capital Fund	\$3,000.00 1st Half 2020 Bldg & Land Levy
22	19	100 - 4M101 General	410 - 4M118 - Sanitary Sewer	\$7,500.00 1st Half 2020 Levy Afton Septic System - City Bldgs
23	20	100 - 4M101 General	725 - 4M109 2014A Road Debt Service Fd	\$145,000.00 1st Half 2020 2014A Road Debt Serv Levy
24	21	100 - 4M101 General	726 - 4M121 2017B Road Debt Serv	\$195,000.00 1st Half 2020 2017B Road Debt Serv Levy
25	22	100 - 4M101 General	806 - 4M122 - PFA Loan Debt Serv	\$49,602.72 1st Half 2020 Special Assessments re. PFA Debt Serv
26	23	100 - 4M101 General	410 - 4M118 - Sanitary Sewer	\$2,225.00 410 Sanitary Sewer Utility - Revenue
27	24	410 - 4M118 - Sanitary Sewer	100 - 4M101 General	\$11,583.31 410 Sanitary Sewer Utility - Expenses
28	25	120 - 4M116 - Street Improvement	100 - 4M101 General	\$355,603.58 120 Street Imp Fd Expenses
29	26	122 - 4M117 - Bridge Replacement Fund	100 - 4M101 General	\$6,786.82 122 Bridge Replacement Fund Expenses
30	27	115 - 4M104 - Bldg & Land Capital Fund	100 - 4M101 General	\$1,747.00 115 Bldg & Land Fund Expenses
31	28	100 - 4M101 General	550 - 4M106 - Spec Activities General	\$1,880.17 Revenue: 550 Special Act - General
32	29	550 - 4M106 - Spec Activities General	100 - 4M101 General	\$7,831.25 Expenses: 550 Special Act - General
33	30	725 - 4M109 2014A Road Debt Service Fd	100 - 4M101 General	\$36,150.00 8/1/20 2014A Road Bond Payment
34	31	726 - 4M121 2017B Road Debt Serv	100 - 4M101 General	\$30,437.50 8/1/20 2017B Road Bond Payment
35	32	805 - 4M114 City Infra-Structure Improvement Fund	100 - 4M101 General	\$160,959.33 805 Downtown Project Expenses
36	33	806 - 4M122 - PFA Loan Debt Serv	100 - 4M101 General	\$49,602.72 806 PFA Loan/Assessment/Condemnation Expenses
37	34	808 - 4M123 2020A Disposal System Debt Serv Bond Fund	101 - 4M101 General	\$7,000.00 808 2020A Disposal System Bond Expense
38	35	101 - 4M101 General	810 - 4M110 City Dock Fund	\$3,850.00 2020 City Dock Lease Pymt
39				
40				
41				



Recommended by Thomas H. Niedzwiecki, Accountant
File: Afton 2020 Bank Transfers.xlsm Worksheet: Jun20 7/14/2020

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moore, City Administrator

Date: July 16, 2020

Re: Extension of the Period of the Mayor-Declared Local Emergency – **Resolution 2020-38**

At the March 26, 2020 Emergency City Council meeting, the Mayor declared a local emergency regarding Covid-19 through the adoption of a local emergency proclamation. At the same meeting, the Council extended the period of the Mayor-declared local emergency. The City Attorney has advised that the emergency declaration cannot be extended for a period greater than thirty days, but can be extended for a series of thirty day periods. At its June 16, 2020 meeting, the Council adopted a resolution to extend the period of the Mayor-declared local emergency until July 21, 2020. A resolution extending the emergency declaration until August 21, 2020 is attached for the Council's consideration.

COUNCIL ACTION REQUESTED:

Motion regarding the adoption of resolution 2020-38 extending the period of the Mayor-declared local emergency through August 21, 2020.

RESOLUTION 2020-38

**CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA**

A RESOLUTION ENACTED UNDER AUTHORITY OF MINNESOTA STATUTES SECTIONS 12.29 AND 12.37 TO EXTEND THE PERIOD OF A MAYOR-DECLARED LOCAL EMERGENCY

WHEREAS, the Mayor of Afton (the “Mayor”) has found that the following situation (the “Situation”) exists:

WHEREAS, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

WHEREAS, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 16, 2020, there are fifty-four known cases of COVID-19 in Minnesota; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than fifty people for eight weeks; and

WHEREAS, additional local cases will trigger a more aggressive public health response that is predicted to impact residents of Afton and those who work in or travel through the City, including City employees; and

WHEREAS, the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges and will require expending significant public resources; and

WHEREAS, the Mayor finds that this situation threatens the health, safety, and welfare of the citizens of the community, threatens the provision of City services and will cause a significant impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

WHEREAS, the Mayor finds that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary resources to respond to and recover from this pandemic will exceed those resources available within the City of Afton, and additional resources will be needed from Washington County and state and federal sources; and

WHEREAS, Minnesota Statutes, section 12.29 authorizes the Mayor to declare the existence of a local emergency, invoke necessary portions of the City’s Emergency Operations Plans and authorize aid and services in accordance with inter jurisdictional agreements, such as mutual aid agreements; and

WHEREAS, under Minnesota Statutes, section 12.37 this emergency declaration authorizes the City to enter into contracts and perform other duties without following many of the time-consuming legal procedures normally required, including:

- Arranging for the performance of public work
- Contracting
- Incurring obligations
- Employing temporary workers
- Renting equipment
- Purchasing supplies and materials
- Complying with limitations on tax levies
- Appropriating and expending public funds, including publication of ordinances and resolutions, advertisement for bids, provisions of civil service laws and rules, competitive bidding, and budget requirements; and

WHEREAS, the Mayor finds that the Situation is sudden and unforeseen and could not have been anticipated; and

WHEREAS, the Mayor finds that the conditions in Minnesota and the threat to the visitors to and residents of the City of Afton has worsened considerably as a result of the Situation; and

WHEREAS, the Mayor has declared that the Situation is a local emergency; and

WHEREAS, the City Council of Afton agrees with the Mayor’s findings and further finds that the Situation will last for more than three days;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AFTON MINNESOTA AS FOLLOWS:

The city council declares that the Situation constitutes a local emergency continuing until at least August 21, prior to which time the city council will make a determination regarding whether to further extend the emergency declaration.

This declaration of a local emergency will invoke the city’s Emergency Operations Plan. The portions that are necessary for response to and recovery from the emergency must be used.

Passed by the City Council of Afton, Minnesota this 21st day of July, 2020.

Bill Palmquist, Mayor

Attested:

Ronald J. Moorse, City Administrator

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moore, City Administrator

Date: July 14, 2020

Re: John and Beth Sevenich Minor Subdivision Application at 10 Coulee Ridge Road – **Resolution 2020-39**

John and Beth Sevenich have applied for a minor subdivision to combine four contiguous parcels under their ownership at 10 Coulee Ridge Road to create one parcel of 6.551 acres, and to divide off a 0.77-acre parcel and combine it with the neighboring Koosman parcel at 8 Coulee Ridge Road. The subdivision eliminates 4 parcels that are each smaller than the minimum required lot size of five acres, and creates one conforming parcel of 6.551 acres. The subdivision also increases the size of the neighboring parcel from 1.89 acres to 2.66 acres, making its size significantly less nonconforming. Attached are a site plan showing the existing parcels and the parcel to be combined with the Koosman property, and a survey showing the new parcels.

Findings

The following is a set of findings for the Council's consideration. The Council may revise or add findings.

1. All parcels involved in the subdivision are zoned Rural Residential, as is all surrounding land.
2. The proposed subdivision does not create any additional lots.
3. The proposed subdivision combines several parcels that are under the same ownership.
4. The proposed subdivision reduces the number of parcels from five to two
5. The proposed subdivision combines 4 nonconforming lots into one conforming lot and adds land to an adjacent lot that is currently nonconforming to make it significantly less nonconforming.

Conditions

If the Council approves the subdivision, conditions may be placed on the approval. Staff is not proposing any conditions to be placed on the approval.

Planning Commission Recommendation

The Planning Commission recommended, on a 9-0 vote, approval of the John and Beth Sevenich Minor Subdivision Application at 10 Coulee Ridge Road.

Resolutions

Attached is a resolution of approval, reflecting the Planning Commission's recommendation, and a resolution of denial.

Council Action Requested:

Motion regarding the adoption of a resolution regarding the John and Beth Sevenich Minor Subdivision at 10 Coulee Ridge Road.

RESOLUTION 2020-39

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION APPROVING THE JOHN AND BETH SEVENICH APPLICATION FOR
MINOR SUBDIVISION AT 10 COULEE RIDGE ROAD**

- WHEREAS,** the City of Afton is a municipal corporation organized and existing under the laws of the State of Minnesota; and
- WHEREAS,** the City Council of the City of Afton has adopted zoning, subdivision, and building regulations as part of the Afton Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and
- WHEREAS,** John and Beth Sevenich have applied for a minor subdivision for a lot line rearrangement at 10 Coulee Ridge Road to combine four contiguous parcels under their ownership and to divide off a .77 acre parcel and combine it with the adjacent property at 8 Coulee Ridge Road; and
- WHEREAS,** City staff reviewed the request and drafted a report for consideration; and
- WHEREAS,** the legal description of the property is attached as Exhibit A, and
- WHEREAS,** The Planning Commission held a public hearing regarding the application at its July 6, 2020 meeting, and recommended approval on a vote of 8-0; and
- WHEREAS,** the City Council heard the request at its regular meeting on July 21, 2020, at which it considered all of the comments, concerns and recommendations of the Planning Commission, the Zoning Administrator and the applicant;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Afton does hereby APPROVE the John and Beth Sevenich application for a minor subdivision at 10 Coulee ridge Road, based on the findings listed below.

Findings

1. All parcels involved in the subdivision are zoned Rural Residential, as is all surrounding land.
2. The proposed subdivision does not create any additional lots.
3. The proposed subdivision combines several parcels that are under the same ownership.
4. The proposed subdivision reduces the number of parcels from five to two
5. The proposed subdivision combines 4 nonconforming lots into one conforming lot and adds land to an adjacent lot that is currently nonconforming to make it significantly less nonconforming.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moore, City Administrator

Motion by:

Second by:

Nelson:

Ross:

Wroblewski:

Perkins:

Palmquist:

RESOLUTION 2020-39XX

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION DENYING THE JOHN AND BETH SEVENICH APPLICATION FOR
MINOR SUBDIVISION AT 10 COULEE RIDGE ROAD**

WHEREAS, the City of Afton is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Afton has adopted zoning, subdivision, and building regulations as part of the Afton Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and

WHEREAS, John and Beth Sevenich have applied for a minor subdivision for a lot line rearrangement at 10 Coulee Ridge Road to combine four contiguous parcels under their ownership and to divide off a .77 acre parcel and combine it with the adjacent property at 8 Coulee Ridge Road; and

WHEREAS, City staff reviewed the request and drafted a report for consideration; and

WHEREAS, the legal description of the property is attached as Exhibit A, and

WHEREAS, The Planning Commission held a public hearing regarding the application at its July 6, 2020 meeting, and recommended approval on a vote of 8-0; and

WHEREAS, the City Council heard the request at its regular meeting on July 21, 2020, at which it considered all of the comments, concerns and recommendations of the Planning Commission, the Zoning Administrator and the applicant;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Afton does hereby DENY the John and Beth Sevenich application for a minor subdivision at 10 Coulee ridge Road, based on the findings listed below.

Findings

1. All parcels involved in the subdivision are zoned Rural Residential, as is all surrounding land.
2. The proposed subdivision adds land to an adjacent lot that is currently nonconforming, but the lot remains nonconforming.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY,
2020.**

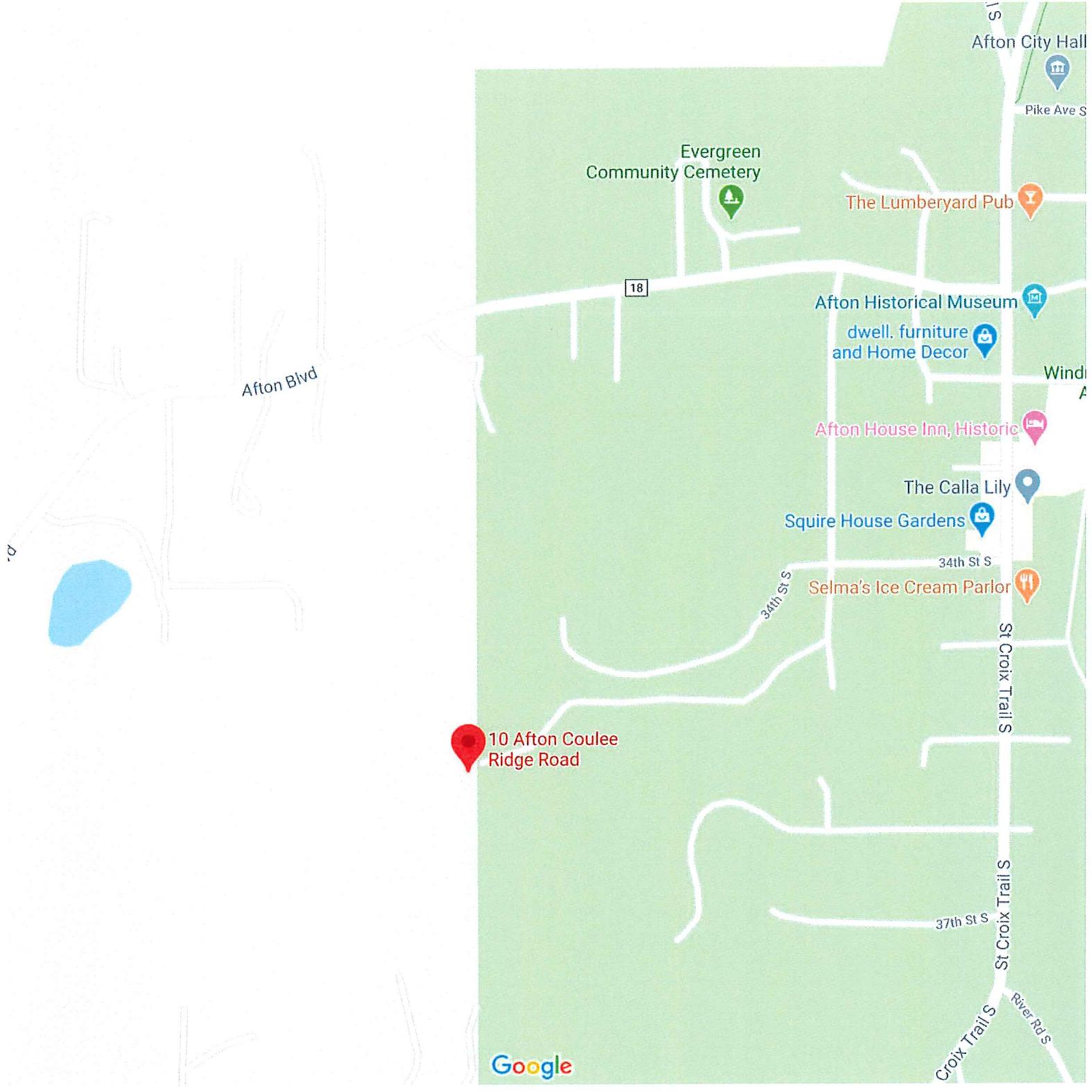
SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

Motion by:
Second by:
Nelson:
Ross:
Wroblewski:
Perkins:
Palmquist:



10 Afton Coulee
Ridge Road

Evergreen
Community Cemetery

The Lumberyard Pub

Afton Historical Museum

dwell. furniture
and Home Decor

Afton House Inn, Historic

The Calla Lily

Squire House Gardens

Selma's Ice Cream Parlor

Afton Blvd

18

34th St S

34th St S

37th St S

Croix Trail S

St Croix Trail S

River Rd S

Afton City Hall

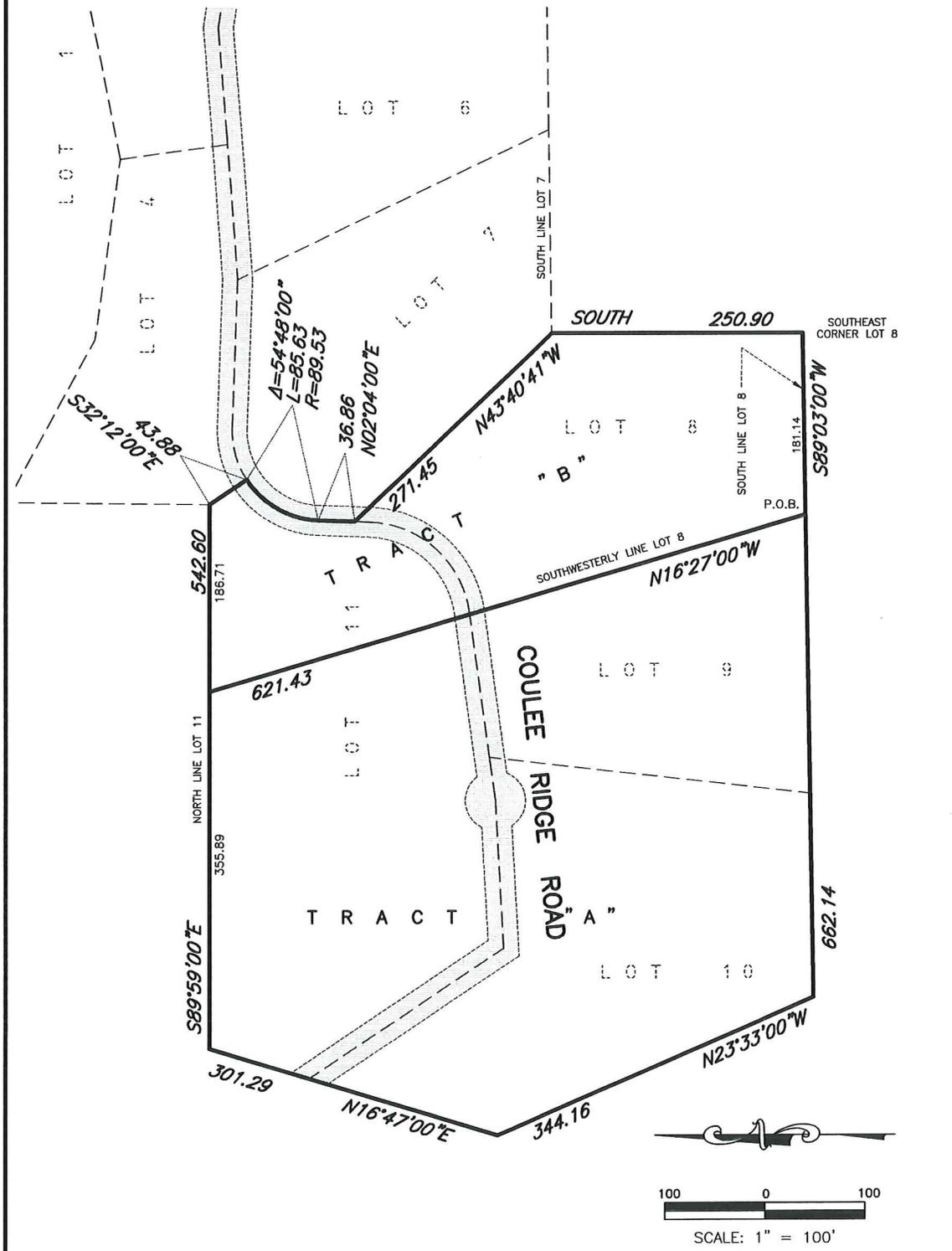
Pike Ave S

Wind
A

Google

LEGAL DESCRIPTION EXHIBIT FOR: JOHN SEVENICH

10 COULEE RIDGE ROAD, CITY OF AFTON, WASHINGTON COUNTY, MINNESOTA



SHEET 2 OF 2 SHEETS

JOB NO: 2020 SEVENICH 001

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HONSA SURVEYING

1592 PACIFIC AVENUE, EAGAN, MN 55122 (651) 492-6725

**LEGAL DESCRIPTION EXHIBIT FOR:
JOHN SEVENICH**

10 COULEE RIDGE ROAD, CITY OF AFTON, WASHINGTON COUNTY, MINNESOTA

TRACT "A"

PROPOSED LEGAL DESCRIPTION:

LOTS 9, 10 AND 11, SCHMITT'S AFTON COULEE RIDGE ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, EXCEPT THAT PART OF LOT 11 LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE THE SOUTHEAST CORNER OF LOT 8 OF SAID SCHMITT'S AFTON COULEE RIDGE; THENCE SOUTH 89 DEGREES 03 MINUTES 00 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE A DISTANCE OF 181.14 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED: THENCE NORTH 16 DEGREES 27 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE AND ITS NORTHWESTERLY EXTENSION A DISTANCE OF 621.43 FEET PLUS OR MINUS TO THE NORTH LINE OF SAID LOT 11 OF SCHMITT'S AFTON COULEE RIDGE AND THERE TERMINATING.

CONTAINING 285,072 SQUARE FEET PLUS OR MINUS

TRACT "B"

PROPOSED LEGAL DESCRIPTION:

LOT 8, SCHMITT'S AFTON COULEE RIDGE ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA AND THAT PART OF LOT 11 OF SAID SCHMITT'S AFTON COULEE RIDGE LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE THE SOUTHEAST CORNER OF LOT 8 OF SAID SCHMITT'S AFTON COULEE RIDGE; THENCE SOUTH 89 DEGREES 03 MINUTES 00 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE A DISTANCE OF 181.14 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED: THENCE NORTH 16 DEGREES 27 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE AND ITS NORTHWESTERLY EXTENSION A DISTANCE OF 621.43 FEET PLUS OR MINUS TO THE NORTH LINE OF SAID LOT 11 OF SCHMITT'S AFTON COULEE RIDGE AND THERE TERMINATING.

CONTAINING 116,508 SQUARE FEET PLUS OR MINUS

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNED THE 4TH OF JUNE, 2020.

DENNIS M. HONSA
MINNESOTA LICENSE No. 22440
FOR: HONSA SURVEYING

SHEET 1 OF 2 SHEETS

JOB NO: 2020 SEVENICH 001

HONSA SURVEYING

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214.7

327.9

43.88

55.00

147.18

22.028.20.42.0012
Currently 2.79 acres
Lot 11a
John & Beth Sevenich

Approx 0.77 acres
Sold to
Chuck & Jill Koosman
To be joined with lot
labeled below

22.028.20.31.0004
Currently 0.451 acres
Lot 11b
John & Beth Sevenich

233.85

22.028.20.31.0004

Currently 0.451 acres

Lot 11b

John & Beth Sevenich

146.96

43.68

143.46

2.41

145.61

36.86

85.63

14.66

271.57

22.028.20.31.0003
Currently 2.49 acres
Lot 10
John & Beth Sevenich

244.16

322.91

22.028.20.42.0011
Currently 1.59 acres
Lot 9
John & Beth Sevenich

350.13

22.028.20.42.0010
1.89 acres
Lot 8
Chuck & Jill Koosman

250.8

234.20 +/-

2

Chuck & Jill Koosmann

22 June 2020

Ron Moorse
Afton City Administrator

Re: Partial Lot Sale

Dear Mr. Moorse,

My wife, Jill, and I are neighbors to John and Beth Sevenich. We have reached an agreement to purchase a portion of their property and are supportive of the subdivision application.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink that reads "Chuck Koosmann". The signature is written in a cursive style with a horizontal line extending to the right.

Chuck Koosmann

cc: John Sevenich
Jill Koosmann

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorese, City Administrator

Date: July 15, 2020

Re: Ordinance Amendment Regarding Firearms Discharge, Gun Ranges and Nuisance Noise –
Ordinance 05-2020

Background

The Council has been working to address noise and safety concerns related to residents using their property as a gun range since early 2019. At that time, the City's ordinance regarding the discharge of firearms was one sentence long, and addressed only one issue – shooting on another person's land without permission. (see below Sec. 14-1)

Sec. 14-1. Use, discharge of weapons. Within the city, it shall be unlawful for any person to discharge out of doors upon the land of another, including all land owned by the City, any firearm, such firearm to include rifle, shotgun, pistol, or device capable of propelling metal pellets by air, spring, CO2, or other means, without having in his possession, written permission from the owner or tenant of such land to discharge such firearm thereon.

The relatively new firearms discharge ordinance 01-2019 (see attached) added necessary additional regulations including a minimum distance from houses and the prohibition of shooting across property lines. The firearms ordinance amendment and the public hearing regarding the ordinance amendment was discussed in the City Newsletter and a public hearing was held by the Council. The Council hoped that this minor language change would be sufficient to prevent further concerns. (Please see the attached documents related to the Council's consideration of the 2019 Firearms ordinance amendment as well as the current ordinance amendment)

Since that time, the amount of shooting by residents on larger lots who are using their property as a gun range has increased significantly, as have the number of complaints. While the increase in firearms discharge has come mostly from residents who are new to the community, the complaints have come mostly from residents who have lived here for many years. While the number of properties on which this is happening is small, the impact on the adjacent residents is very substantial and needs to be addressed. The 2019 firearms discharge ordinance amendment does not adequately protect residents from the impacts of these types of shooting. (Emails received from residents expressing concerns regarding the impacts of increased shooting are attached.)

Overview and Purpose of Currently Proposed Ordinance Amendment

The attached ordinance amendment adds and clarifies a number of regulations related to the discharge of firearms. The purpose of the ordinance amendment is to address noise and safety concerns related to the current ability to discharge firearms with no or limited restrictions on the number of rounds, the duration and frequency of shooting and the noise generated by the firearms discharge.

Main Elements of the Proposed Ordinance Amendment

The Council met in work sessions in June to discuss options for addressing concerns regarding the discharge of firearms, and particularly when residents are using their property in a manner similar to a gun range, whereby they discharge a high number of rounds per day several days per week. The Council discussed these concerns from both a safety and a nuisance noise perspective, and directed staff to draft an ordinance amendment that included the following elements:

- Add new language to the firearms discharge ordinance that limits firearms discharge as follows; Other than for allowed hunting, it is unlawful for a person to discharge more than 20 rounds from any firearm within a 24 hour period and on more than one day per calendar month in Afton; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.
 - The proposed exception for clay pigeon shooting is to acknowledge that this activity has been occurring over the years on large rural parcels without complaints from neighbors. The required distance of 1,320 feet is to continue to avoid both noise and safety impacts.

- Add a definition of “gun range” to the Zoning Code as follows:
 Gun Range means a commercial or private parcel, or multiple parcels under the same ownership, or facility where skeet and trap shooting or other similar shooting sports and the shooting of rifles, shotguns and pistols takes place whereby firearms discharge occurs more than one day per calendar month, and whereby more than 20 rounds are discharged over any 24 hour period; with the exception that clay pigeon shooting with shotguns once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel, is not considered a gun range.

- Add language in the nuisance/noise ordinance that adds a definition of public nuisance noises and prohibits such noises as follows:
 Public Nuisance Noises.
 It is unlawful for any person to cause or allow to be emitted a Public Nuisance Noise. A Public Nuisance Noise is any noise which unreasonably annoys, injures, interferes with, or endangers the comfort, repose, health or safety of persons residing within separate residences in the same community or neighborhood.
 - a. Examples of public nuisance noises include, but are not limited to, the following:
 - 1). The discharge of more than 20 rounds from a firearm in a 24 hour period and on more than one day per calendar month in Afton, other than for allowed hunting; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel
 - 2). Those noises listed as prohibited in paragraph D of Sec. 12-208. (See the attached ordinance.)
 - 3). Those noises generated by the operations with hourly restrictions listed in paragraph E of Sec. 12-208 when generated beyond the allowed hours. (See the attached ordinance.)

 - b. Exemptions to Public Nuisance Noise Prohibition.
 - 1). Between the hours of 7 a.m. and 8 p.m., the following shall be exempt from this Chapter; except if other state and local restrictions apply:
 - a). Sounds originating from residential property as a result of temporary projects for the construction, maintenance, or repair of homes, grounds, and appurtenances;
 - b). Sounds created by the discharge of firearms in the course of legally hunting during any state defined hunting season, and otherwise meeting all other firearm discharge guidelines found in city ordinances.
 - c). Sounds created by the installation or repair of essential utility services;

- d). Sounds originating from temporary, residential construction sites as a result of construction activity
- e). Sounds originating from forestry activities
- f). Sounds originating from farming activities

Planning Commission Recommendation

The Planning Commission, at its July 6, 2020 meeting, held a public hearing regarding the Ordinance Amendment Regarding Firearms Discharge, Gun Ranges and Nuisance Noise. The Planning Commission recommended that the Council not move forward with the proposed ordinance amendment, but rather allow further discussion by the Planning Commission regarding a range of issues (see below).

Planning Commission Concerns and Issues

The Planning Commission expressed a number of concerns and identified a range of issues regarding the ordinance amendment, which are outlined below.

- The background and basis used by the City Council to determine the number of rounds, number of days per month and distance from property lines were not provided or explained
- There should be consideration of different rules for different types of firearms (rifles vs. shotguns) and for different zoning districts and lot sizes
- The number of rounds allowed and the number of days per month allowed are both too low
- The required distance from property lines is too large
- The proposed definition of gun range is inconsistent with the definition of shooting range in State Statute 87A.
- The Council had agreed that only essential needs were to be addressed during this time of remote meetings, with its challenges regarding public participation
- Notice of the public hearing and information regarding the ordinance amendment were not adequately disseminated to the public, and there was confusing and contradictory information on the website regarding the public hearing and whether the Planning Commission was meeting regularly
- The proposed language regarding nuisance noise is subjective and would be difficult or impossible to enforce

Balancing the Level of Regulation

In considering regulations regarding the discharge of firearms, the challenge is to find a balance between Afton's history of limited firearms regulations vs. the impacts on the quality of life of residents adjacent to a property on which firearms are being discharged for extended periods of time multiple times per week. Two questions involved in this challenge are:

- What types of firearms discharge are incompatible with the ability of adjacent residents to enjoy a reasonable quality of life?
- How can these types of firearms discharge be regulated in a way that has the least impact on the types of firearms discharge that do not prevent residents from enjoying a reasonable quality of life.

Council Action Requested

Motion regarding ordinance 05-2020, an ordinance amendment regarding firearms discharge, gun ranges and nuisance noise

ORDINANCE 05-2020

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING SECTION 14-1 OF CHAPTER 14, AND SECTIONS 12-77, 12-207 AND 12-208 OF CHAPTER 12 OF THE CITY CODE REGARDING THE DISCHARGE OF FIREARMS, GUN RANGES, NUISANCES and NOISE

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language and deleting the ~~striketrough~~ language.

Sec. 14-1. Use, discharge of firearms.

- (a) NOTHING IN THIS SECTION SHALL REGULATE, CONTROL OR PREEMPT THE USE OF FIREARMS FOR SELF DEFENSE WHICH SHALL BE SOLELY REGULATED AND CONTROLLED BY APPLICABLE MN STATE STATUTES (609.06 and 609.65)
- (b) Firearm definition – A firearm is defined as any gun from which any projectile is discharged or propelled by means of an explosion, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus, instruments, or equipment used by construction personnel, licensed physicians or veterinarians in the course or scope of their professions.
- (c) Within the city, it shall be unlawful for any person to discharge out of doors upon the land of another, including all land owned by the City, any firearm, without having, in possession, written permission from the owner or tenant of such land to discharge such firearm thereon, which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.
- (d) It is unlawful for any person to discharge any firearm in any place or manner so as to endanger any person or property.
- (e) It is unlawful for any person to discharge a firearm in a city park, on any school property, or in any property located in an area zoned commercial or industrial with the exception of police officers acting in the scope of their lawful authority.
- (f) It is unlawful to discharge a firearm across or within the right of way of any public road or highway.
- (g) Firearms may not be discharged:
 - 1. Except by the landowner and his/her immediate family in residence on the property or in the presence of the landowner or lessee of the land, or with the written permission of the landowner or lessee of the land. The person authorized to hunt/shoot must have in their possession the written permission which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.
 - 2. Within 500 feet of any residence or accessory building on a parcel under separate ownership from the parcel on which the firearm is discharged, unless the person has written permission from the land owner as required in paragraph (g) 1 above.

3. Before 0900 hours or after one-half hour before sunset, except when hunting game or non-game animals in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)
- (h) No firearm shall be discharged in a manner reasonably expected to cause a projectile to cross the boundary of a parcel not under common ownership with the parcel from which the projectile is fired, unless the person has written permission from the land owner as required in paragraph (g) 1 above.
- (i) It is unlawful to discharge a firearm while under the influence of a controlled substance or under the influence of alcohol.
- (j) Individuals discharging firearms must be adults or must be under the supervision of a responsible adult, with the exception of juveniles 16 and over during the hunting season who meet the legal requirements to hunt according to Minnesota's hunting regulations. Nothing in this paragraph shall prohibit juveniles from hunting in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)

(k) Other than for allowed hunting, it is unlawful for a person to discharge more than 20 rounds from any firearm within a 24 hour period and on more than one day per calendar month in Afton; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.

Sec. 12-77 Definitions

Gun Range means a commercial or private parcel, or multiple parcels under the same ownership, or facility where skeet and trap shooting or other similar shooting sports and the shooting of rifles, shotguns and pistols takes place whereby firearms discharge occurs more than one day per calendar month, and whereby more than 20 rounds are discharged over any 24 hour period; with the exception that clay pigeon shooting with shotguns once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel, is not considered a gun range.

Sec. 12-207. Miscellaneous nuisances.

- A. It shall be a nuisance for any person to store or keep any vehicle of a type requiring a license to operate on the public highway, but without a current license attached thereto, whether such vehicle is dismantled or not, outside of an enclosed building in any zoning district.
- B. Creating or maintaining a junkyard or vehicle dismantling yard shall be a nuisance and shall be prohibited.
- C. The following are declared to be nuisances endangering public health:
 1. Causing or suffering the effluent from any cesspool, septic tank, drainfield or human sewage disposal system to discharge upon the surface of the ground, or dumping the contents thereof at any place except as authorized by the state pollution control agency.
 2. Causing or suffering the pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances.
 3. Causing or suffering carcasses of animals to not be buried or destroyed or otherwise disposed of within 24 hours after death.
- D. The following are declared to be nuisances affecting the public peace and safety, **including interfering unreasonably with the enjoyment of life or property.**
 1. The placing or throwing on any street, alley, road, highway, sidewalk or other public property of any glass, tacks, nails, bottles or other nuisances that may injure any person or animal or may cause damage to any pneumatic tire when passing over the same.

2. The ownership, possession or control of any unused refrigerator or other container, with doors that fasten automatically when closed, of sufficient size to retain any person and that is exposed and accessible to the public without having the doors, lids, hinges or latches removed or having locks to prevent access by the public.

3. Public Nuisance Noises.

It is unlawful for any person to cause or allow to be emitted a Public Nuisance Noise. A Public Nuisance Noise is any noise which unreasonably annoys, injures, interferes with, or endangers the comfort, repose, health or safety of persons residing within separate residences in the same community or neighborhood.

a. Examples of public nuisance noises include, but are not limited to, the following:

1). The discharge of more than 20 rounds from a firearm in a 24 hour period and on more than one day per calendar month in Afton, other than for allowed hunting; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.

2). Those noises listed as prohibited in paragraph D of Sec. 12-208

3). Those noises generated by the operations with hourly restrictions listed in paragraph E of Sec. 12-208 when generated beyond the allowed hours.

b. Exemptions to Public Nuisance Noise Prohibition.

1). Between the hours of 7 a.m. and 8 p.m., the following shall be exempt from this Chapter; except if other state and local restrictions apply:

a). Sounds originating from residential property as a result of temporary projects for the construction, maintenance, or repair of homes, grounds, and appurtenances;

b). Sounds created by the discharge of firearms in the course of legally hunting during any state defined hunting season, and otherwise meeting all other firearm discharge guidelines found in city ordinances.

c). Sounds created by the installation or repair of essential utility services;

d). Sounds originating from temporary, residential construction sites as a result of construction activity

e). Sounds originating from forestry activities

f). Sounds originating from farming activities

Sec. 12-208. Noise.

A. Definitions. Except as provided in this section, words or phrases used in this section and defined in the rules of the state pollution control agency noise section, Mn Rules, § 7030, shall have the meanings given in those rules.

1. A-weighted means a specific weighting of the sound pressure level for the purpose of determining the human response to sound. The specific weighting characteristics and tolerances are those given in American National Standards Institute S1.4-1983, section 5.1.

2. Cut-out or bypass means a mechanism which varies the exhaust system gas flow so as to

discharge the exhaust gas and acoustic energy to the atmosphere without passing through the entire length of the system including all exhaust system sound attenuation components.

3. dB(A) means a unit of sound level expressed in decibels (dB) and A-weighted.

4. Exhaust system means a combination of components which provides an enclosed flow of exhaust gas from engine parts to the atmosphere.

5. Holiday means any day fixed by the United States or by state law for suspension of business in whole or in part.

6. L10 means the sound level, expressed in dB(A) which is exceeded ten percent of the time for a one-hour period, as measured by test procedures approved by the director of the MPCA.

7. L50 means the sound level, expressed in dB(A) which is exceeded 50 percent of the time for a one-hour period, as measured by test procedures approved by the director of the MPCA.

8. MPCA means the state pollution control agency.

9. Noise means any sound not occurring in the natural environment, including but not limited to, sounds emanating from airways, roadways, waterways, industrial, commercial, and residential sources.

10. Noise control officer means the City Zoning Administrator or other person appointed by the City Council.

11. Noise pollution means the presence of any noise or combination of noises in such quantity, at such levels, of such nature and duration, or under such conditions as could potentially be injurious to human health, safety, or welfare; or to animal life; or could interfere unreasonably with the enjoyment of life or property. **Noise pollution includes public nuisance noises, as defined in Sec. 12-207.**

12. Person means any individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivision, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, person shall include employees and licensees.

(Paragraphs B and C are not proposed to be amended, so were purposely excluded)

D. Noises prohibited.

1. Horns, audible signaling devices, etc. No person shall sound any signaling device on any vehicle except as a warning of danger.

2. Engine exhausts. No person shall discharge the exhaust or permit the discharge of the exhaust of any steam engine, stationary internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle, snowmobile or any recreational device except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws, regulations, and this article. No exhaust system on any engine shall be modified, altered, or repaired in any manner, including the use of a muffler cut-out or bypass, that shall amplify or otherwise increase noise above that emitted by the device as originally equipped.

3. Radios, phonographs, paging systems, etc. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for production or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of violation of this section.

4. Social gatherings. No person shall participate in any party or other gathering of people giving rise to noise which disturbs the peace, quiet or repose of the occupants of adjoining or other property. When a police officer determines that a gathering is creating such noise disturbance, the officer shall order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a police officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall cooperate with police officers and shall make every reasonable effort to see that the disturbance is abated.

5. Loudspeakers, amplifiers for advertising, etc. No person shall operate or permit the use or

operation of any loudspeaker, sound amplifier, or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public for any purpose whatsoever.

6. Schools, churches, etc. No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, church or other place of worship.

E. Hourly restriction on certain operations.

1. Domestic power equipment. No person shall operate a garden or lawn tractor, power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, power device for bug eradication, drill, or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. Snow removal equipment is exempt from this provision.

2. Refuse hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:00 a.m. and 6:00 p.m., Monday through Saturday.

3. Construction activities. No person shall engage in or permit construction activities involving the use of any electric, diesel, or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

Motion by:

Second by:

Perkins:

Wroblewski:

Ross:

Nelson:

Palmquist:

ORDINANCE 01-2019

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING SECTION 14-1 OF THE CITY CODE RELATED TO THE USE AND DISCHARGE OF WEAPONS

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language and deleting the strike-through language.

Sec. 14-1. Use, discharge of weapons ~~firearms~~.

- (a) **NOTHING IN THIS SECTION SHALL REGULATE, CONTROL OR PREEMPT THE USE OF FIREARMS FOR SELF DEFENSE WHICH SHALL BE SOLELY REGULATED AND CONTROLLED BY APPLICABLE MIN STATE STATUTES (609.06 and 609.65)**
- (b) **Firearm definition – A firearm is defined as any gun from which any projectile is discharged or propelled by means of an explosion, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus, instruments, or equipment used by construction personnel, licensed physicians or veterinarians in the course or scope of their professions.**
- (c) Within the city, it shall be unlawful for any person to discharge out of doors upon the land of another, including all land owned by the City, any firearm, ~~such firearm to include rifle, shotgun, pistol, or device capable of propelling metal pellets by air, spring, CO2, or other means,~~ without having, in his possession, written permission from the owner or tenant of such land to discharge such firearm thereon, **which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.**
- (d) **It is unlawful for any person to discharge any firearm in any place or manner so as to endanger any person or property.**
- (e) **It is unlawful for any person to discharge a firearm in a city park, on any school property, or in any property located in an area zoned commercial or industrial with the exception of police officers acting in the scope of their lawful authority.**
- (f) **It is unlawful to discharge a firearm across or within the right of way of any public road or highway.**
- (g) **Firearms may not be discharged:**
 - 1. **Except by the landowner and his/her immediate family in residence on the property or in the presence of the landowner or lessee of the land, or with the written permission of the landowner or lessee of the land. The person authorized to hunt/shoot must have in their possession the written permission which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.**
 - 2. **Within 500 feet of any residence or accessory building on a parcel under separate ownership from the parcel on which the firearm is discharged, unless the person has written permission from the land owner as required in paragraph (g) 1 above.**

ORDINANCE 01-2019

3. Before 0900 hours or after one-half hour before sunset, except when hunting game or non-game animals in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)
- (h) No firearm shall be discharged in a manner reasonably expected to cause a projectile to cross the boundary of a parcel not under common ownership with the parcel from which the projectile is fired, unless the person has written permission from the land owner as required in paragraph (g) 1 above.
- (i) It is unlawful to discharge a firearm while under the influence of a controlled substance or under the influence of alcohol.
- (j) Individuals discharging firearms must be adults or must be under the supervision of a responsible adult, with the exception of juveniles 16 and over during the hunting season who meet the legal requirements to hunt according to Minnesota's hunting regulations. Nothing in this paragraph shall prohibit juveniles from hunting in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)

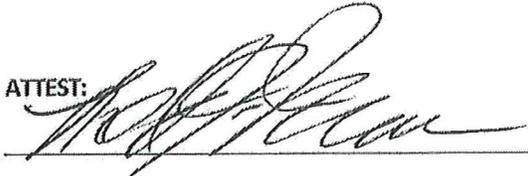
ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF MAY, 2019.

SIGNED:



Bill Palmquist, Mayor

ATTEST:



Ronald J. Moose, City Administrator

Motion by: Wroblewski
Second by: Perkins
Perkins: Aye
Wroblewski: Aye
Ross: Nay
Nelson: Nay
Palmquist: Aye

Staff Memos and Related Information Regarding the Firearms Discharge Issue and Ordinance
Amendment

Meeting Date April 25, 2019

Council Memo

To: Mayor Palmquist and Members of the City Council
From: Ron Moorse, City Administrator
Date: April 18, 2019
Re: Ordinance Regarding Discharge of Firearms on Small Lots

At its April 16 regular meeting, the Council agreed that it would review and discuss the revised draft Discharge of Firearms ordinance prepared by Richard Bend and Council member Wroblewski and the initial draft ordinance prepared by staff, as well as the comments received from the public at the Council meeting, as the basis for developing a proposed ordinance for public feedback at a public hearing at the May 21 Council meeting. The revised draft ordinance and the initial draft ordinance are attached.

An outline of the comments received from the public is as follows:

- The ordinance should not conflict with State Statutes
- The ordinance should not prohibit buckshot
- The ordinance should not prohibit shooting/hunting within 1,000 feet of a house, etc. That would prevent hunting on a 10-acre lot. The distance should be 500 feet, which is the same as State Statute.
- Require non-lead ammunition

Ordinance Review Process

From an overall perspective, the key element of the ordinance is the prohibition of discharge of a firearm on lots of less than 5 acres. This restriction addresses a number of concerns that are not addressed by the DNR's hunting regulations. The other element of the ordinance, that can become complex, is the regulation of shooting/target shooting.

Staff recommends the ordinance review process begin with a review of the revised draft ordinance developed by Richard Bend and Council member Wroblewski to decide which provisions to keep, which provisions to remove and which provisions to revise. Then the initial draft ordinance prepared by staff can be reviewed to determine if any provisions in that ordinance should be added to the revised draft ordinance.

Meeting Date May 21, 2019

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: May 16, 2019

Re: Ordinance Amending Sec. 14-1 of the City Code Regarding the Use and Discharge of Firearms –
Public Hearing - Ordinance 01-2019

Background

At its April 16 regular meeting, the Council agreed that it would review and discuss the revised draft Discharge of Firearms ordinance prepared by Richard Bend and Council member Wroblewski and the initial draft ordinance prepared by staff, as well as the comments received from the public at the Council meeting, as the basis for developing a proposed ordinance for public feedback at a public hearing at the May 21 Council meeting. The Council met in a work session on April 25 to discuss the draft ordinance and public feedback, and provided direction to staff for the preparation of an ordinance for consideration by the Council and for public feedback at a public hearing at the May 21 Council meeting. The proposed ordinance amendment is attached.

Public Hearing

The public hearing is an opportunity for the public to provide feedback regarding the proposed ordinance.

Discussion and Consideration

After receiving the feedback from the public, the Council may discuss and consider the proposed ordinance.

Council Member Wroblewski and Richard Bend Suggested Information

While not included in the final proposed ordinance, Council member Wroblewski and Mayor Bend identified a number of factors to consider when discharging a firearm. These are as follows:

In determining whether a discharge endangers any person or property and in determining whether a projectile might reasonably be expected to cross a boundary; angle of discharge, type of projectile, potential distance of its travel, land topography, location of parcel boundaries, field of fire, and background beyond the target are all factors which the shooter is responsible to take under consideration prior to discharging a firearm.

COUNCIL ACTION REQUESTED:

Motion regarding Ordinance 01-2019 amending Sec. 14-1 of the City Code regarding the use and discharge of firearms.

Discharge of Firearms Ordinance
4/30/19 revised draft – Wroblewski

NOTHING IN THIS SECTION SHALL REGULATE, CONTROL OR PREEMPT THE USE OF FIREARMS FOR SELF DEFENSE WHICH SHALL BE SOLELY REGULATED AND CONTROLLED BY APPLICABLE MN STATE STATUTES

Firearm definition – A firearm is defined as any gun from which any projectile is discharged or propelled by means of an explosion, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus, instruments, or equipment used by construction personnel, licensed physicians or veterinarians in the course or scope of their professions.

It is unlawful for any person to discharge any firearm in any place or manner so as to endanger any person or property.

It is unlawful for any person to discharge a firearm in a city park, on any school property, or in any property located in an area zoned commercial or industrial with the exception of police officers acting in the scope of their lawful authority.

Firearms may not be discharged:

1. Except by the landowner and his/her immediate family in residence on the property or in the presence of the landowner or lessee of the land, or with the written permission of the landowner or lessee of the land. The person authorized to hunt/shoot must have in their possession the written permission which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.
2. Within 500 feet of any residence or accessory building on a parcel under separate ownership from the parcel on which the firearm is discharged.
3. Before 0900 hrs. or after one-half hour before sunset, except when hunting game or non-game animals in compliance with MN statutes. This numbered paragraph contains the only noise limitation on discharge of a firearm in Afton.

No firearm shall be discharged in a manner reasonably expected to cause a projectile to cross the boundary of a parcel not under common ownership with the parcel from which the projectile is fired.

In determining whether a discharge endangers any person or property and in determining whether a projectile might reasonably be expected to cross a boundary, angle of discharge, type of projectile, potential distance of its travel, land topography, location of parcel boundaries, field of fire, and background beyond the target are all factors which the shooter is responsible to take under consideration prior to discharging a firearm.

It is unlawful to discharge a firearm while under the influence of a controlled substance or with a blood alcohol content of .04% or above.

Individuals discharging firearms must be adults or be in the presence of and supervised by a responsible adult with the exception of juveniles 16 and over during the hunting season who meet the legal requirements to hunt according to Minnesota's hunting regulations.

Meeting Date June 10, 2020

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: June 8, 2020

Re: Regulations Regarding the Discharge of Firearms.

The Council met in a work session on June 3 to discuss options for addressing concerns regarding the discharge of firearms, and particularly residents using their property in a manner similar to a gun range, in that they discharge a high number of rounds per day several days per week. The Council discussed these concerns from both a safety and a noise/nuisance perspective, and directed staff to draft an ordinance amendment that included the following elements:

- new language in the firearms discharge ordinance regarding the number of rounds that could be discharged per day and per week, other than for hunting; as well as language that allows the owner of a homesteaded residential parcel to exceed the maximum number of rounds per day if allowed by the affected neighbors.
- Add a definition of “gun range” that involves the discharge of firearms whereby firearms discharge occurs more than one day per calendar week and whereby more than 20 rounds are discharged over any 24 hour period. (This definition applies to the existing ordinance that prohibits gun ranges in all zoning districts)
- Add language in the nuisance/noise ordinance that adds a definition of public nuisance noises and prohibits such noises.

An ordinance amendment that reflects these elements is attached for the Council’s consideration, discussion and feedback.

Meeting Date June 3, 2020

Council Memo

To: Mayor Palmquist and City Council Members
From: Ron Moore, City Administrator
Date: May 27, 2020
Re: Regulations Regarding the Discharge of Firearms.

In considering regulations regarding the discharge of firearms, the challenge is to find a balance between Afton's history of limited firearms regulations vs. the impacts on the quality of life of residents adjacent to a property on which firearms are being discharged for extended periods of time multiple times per week. Afton's limited firearms regulations are designed to facilitate hunting and hunting-related activities such as sighting-in rifles and occasional clay pigeon shooting. The relatively new firearms discharge ordinance (see attached) added necessary additional regulations regarding distance from houses and shooting across property lines. However, it does not address the noise and safety concerns related to the discharge of firearms on a property for extended periods multiple times per week. There are a number of potential options to consider in relation to addressing these concerns. The options are outlined below.

Options for Addressing Excessive Firearms Discharge Concerns

Clarify the Current Prohibition of Gun Ranges

The zoning code specifically prohibits gun clubs and gun ranges in all zoning districts, for the purpose of avoiding the noise impacts of gun ranges. However, there is not a definition of gun range in the code. One option is to add a definition of gun range that includes commercial gun ranges, but also includes the use of any property as a gun range. The prohibition of gun ranges could include specific and limited exceptions for sighting-in rifles prior to a hunting season, for occasional clay pigeon shooting and for other minor, relatively low-impact activities.

Noise Ordinance

The attached noise ordinance (attached to the nuisance ordinance) includes restrictions on noise levels, and requires testing procedures to determine noise exceedances. The noise ordinance is more focused on noise generated by an on-going use rather than temporary exceedances. For example, the two noise levels defined in the ordinances are L10, which relates to noise exceeding the allowed levels 10% of the time for a one hour period, and L50, noise exceeding allowed levels 50% of the time for a one hour period. Noise testing would need to be done to obtain evidence of an exceedance. Also, the noise ordinance does not include allowed noise levels for the Ag zone.

The noise ordinance does include a definition of noise pollution which fits the situation of the discharge of firearms on a property for extended periods multiple times per week. Noise pollution means the presence of any noise or combination of noises in such quantity, at such levels, of such nature and duration, or under such conditions as could potentially be injurious to human health, safety, or welfare; or to animal life; **or could interfere unreasonably with the enjoyment of life or property.**

Firearms Discharge Ordinance

An element of a preliminary firearms discharge ordinance that was proposed early in the ordinance update process was a limitation on the number of rounds that could be discharged on a property over a one week period. The maximum number of rounds was proposed to be between 20 and 50. It was also proposed that, with the exception of hunting, firearms not be discharged on a parcel, or two or more parcels of land under common ownership, on more than one day

per calendar week. A limit on the number of rounds and days per week would prohibit the ability to discharge a large number of rounds multiple times during a week. As indicated above, a specific and limited exception for an activity such as occasional clay pigeon shooting could be included in the ordinance.

Nuisance Ordinance

The attached nuisance ordinance is very narrow and does not currently address activities such as noise and firearms discharge. The nuisance ordinance could be expanded to include impacts from activities such as the discharge of firearms on a property for extended periods multiple times per week. While the standards for determining a nuisance could be less technical than those in the noise ordinance, standards would need to be developed. The nuisance ordinance uses the following language in relation to nuisance impacts: **“detrimental to or shall endanger the public health, safety, comfort or general welfare.”** This language could be supplemented with the language from the noise pollution definition: **“or could interfere unreasonably with the enjoyment of life or property.”** A more specific standard or example could be the exceedance of a maximum number of rounds per week, as set out in the firearms ordinance paragraph above. Again, the language could include a specific limited exception for an activity such as clay pigeon shooting.

Correspondence Received from Residents Regarding the Firearms Discharge Issue

Ron Moore

From: Dave Heng <dheng@mmm.com>
Sent: Thursday, February 21, 2019 3:16 PM
To: Ron Moore; Bill mayor
Cc: Ward 2 Council Member ward2; Kari Kull-Heng
Subject: Afton Firearms Ordinances

Hi Bill and Ron,

My name is Dave Heng and I live at 12312 Meadow Bluff Trail with my wife, Kari, and our three boys, Oliver (8), Wendel (6), and Graham (2). I was emailing last week with Lucia W. and she suggested that I email this concern to you as well. We have a new neighbor that regularly shoots firearms off of his back porch and he does that at a close distance to our home (I would guess that our homes are about 100 feet apart in a residential neighborhood). We've reached out to our neighbor several times now with no response, so we're not sure how to proceed. The regular gunfire causes many issues for us and we're concerned about the safety of the situation. Most importantly, I'm concerned about my kids' welfare and I want them to be able to play outside in a peaceful environment without close gunfire. We've done some digging into firearms laws for the City of Afton and for MN and we're starting to realize that the only guidance given by the City (we think) is that all residents must follow DNR guidelines. From everything I could find online, it sounds like the DNR's guidance is only targeted at hunters that are hunting on other people's land, not their own property. The DNR rule is that firearms are not to be fired on someone else's property within 500 feet of a home. Do you have any suggestions on how to learn more about the laws in Afton or how we may be able to get a new law/ordinance enacted in Afton? Other similar cities have these types of ordinances already (some examples are below) to keep residential areas safe, so there is some precedence in other MN towns. Any thoughts on how to improve this situation? Can you help us out or provide some guidance?

Thank you,
-Dave Heng

Some Additional Gun Law Info for the City of Stillwater as an example:

Can I hunt in Stillwater?

Projectiles are banned within the city limits of Stillwater. It is unlawful to shoot any type of projectile including: guns, BB-guns and bow and arrows.

<https://www.ci.stillwater.mn.us/?SEC=C5B60CB7-2D02-4629-B8CD-9264A00722AD#FACB0E44-7A81-4C53-B924-47F0370F163C>

Some Additional Gun Law Info for the City of Woodbury as an example:

I did some additional digging into the City of Woodbury's firearms regulations and here is what I found.

- 1) Woodbury has defined areas that are "closed", "open", or "restricted". The map can be found here: <https://www.woodburymn.gov/police/Hunting%20Map.pdf>. The majority of Woodbury is closed to firearms.
- 2) It is unlawful for any person to discharge any firearm* within a "closed area" designated by the City of Woodbury. The Woodbury Public Safety Department may grant a limited permit to allow the discharge of a firearm* by person(s) demonstrating a reasonable necessity for such action.
- 3) In "open areas" it is unlawful to discharge any firearm* other than a shotgun.
 - a. The maximum size shot that may be used in such designated areas is a No. 2 steel shot or smaller, or a No. 4 lead/Bismuch/tungsten/Hevi-Shot or smaller (smaller shot sizes smaller actually go up in numbers, i.e., shot 5, 6, 7, 8). The use of appropriate shot is also dictated by Minnesota Department of Natural Resources regulations. The use of shotgun slugs is prohibited. The Woodbury Public Safety Department may grant a limited permit to allow the discharge of a firearm* other than a shotgun or a shotgun with slugs.

----- Original message -----

From: Clay Diggins <Clay.Diggins@slumberland.com>

Date: 5/25/20 08:59 (GMT-06:00)

To: ward3 <ward3@ci.afton.mn.us>

Cc: Clay Diggins <Clay.Diggins@slumberland.com>

Subject: Afton culture

Hi Stan,

I want to keep you updated on the shooting situation since Deb and Larry joined the city council meeting last Tuesday.

Friday evening going into Memorial weekend I got home from work. Deb was working in the flowerbeds outside our back door when all at once rapid fire shooting began. This was over the top and we called the Sheriff to report. I also videoed a sequence from my back doorstep capturing the noise level.

Deputy Sheriff Nick Davis called to say he was on his way and while on the phone with him I put the speakerphone on and he heard the rapid fire shooting clearly.

Nick called and met the shooter at the end of his driveway. I understand we were not the only ones calling this incident into the police. The shooter reported to the deputy that they were shooting a 5.56 caliber high powered rifle. This accounts for the very loud reports. It is also very disturbing to learn that this was happening. A 5.56 caliber can kill someone at over half a mile and I have no idea where the shooter's muzzle was pointing. Clearly not ok. I know Washington county is deemed a slug only zone for hunting for this very reason. I didn't count how many rounds were fired but likely over 100. The rifle is a semiautomatic which fires in very quick fashion. The impression this makes is dramatic and frightening.

Deputy Davis then stopped over at our place where we learned others had called in as well and not the first time. I told him we would be calling the shooter in more frequently and he agreed it was good to do that. The frequency and number of complaints may give credence to the fact that the need for change is urgent.

We later spoke with our neighbors Trish and Larry. Their property also adjoins the shooter's. They were out on their deck Friday evening when the shooting started and ran inside for safety. They also took a recording of part of the incident. I also happen to know that they have two small grandchildren who come to visit and have been frightened to death by the shooting. This is just not right.

I will get both recordings to you and I also ask you to share this report with the council.

Having lived in Afton for over 30 years I have never brought up an issue to the city council before. The culture of Afton has always been one of respect where people are considerate of the community. Many people and families are out walking and cycling on our roads and imagine their reaction when rapid fire shooting erupts. Especially difficult for children. Active shooting ranges is not the Afton we value.

I say this from the perspective of an avid outdoorsman myself who regularly visits one of the commercial shooting ranges where shooting is safely managed. There are many safe options close by for shooters to use where they can enjoy their sport and not threaten others.

As long time residents who value the Afton lifestyle my family appreciates the work you and the council are doing to protect what we have.

Clay Diggins

As an aside, there was additional shooting Sunday evening that I did not call in. Too tired.

Sent from my iPhone

Ron Moorse

From: Ward 2 Council Member ward2
Sent: Monday, June 8, 2020 7:34 PM
To: Ron Moorse
Cc: Bill mayor
Subject: FW: Firearms Discharge Ordinance

More input from another resident.

Lucia

From: Clay Diggins [mailto:Clay.Diggins@slumberland.com]
Sent: Sunday, June 7, 2020 12:49 PM
To: ward2 <ward2@ci.afton.mn.us>
Subject: Re: Firearms Discharge Ordinance

Well written Lucia. I agree with you 100%. I also am a gun owner and avid hunter who goes to established and legal gun ranges to target practice.

Thank you for your leadership on this issue on behalf of Afton.

Clay

Sent from my iPhone

On Jun 7, 2020, at 9:53 AM, ward2 <ward2@ci.afton.mn.us> wrote:

Hi everyone –

As most of you if not all of you are aware, early last year there was an ongoing and excessive discharge of rifle fire in Ward 2 in a 2.5 acre neighborhood. It eventually caused a young family to move out of our city for fear for their young children who were no longer able to play in their own backyard – fear for their own safety - and also because of the complete disregard for the peace and comfort of his neighbors by the violator. Our firearms discharge ordinance was woefully inadequate as it was basically useless. I worked hard to help draft the discharge of firearms ordinance we currently have. It was a compromise of suggestions made for consideration by the full council and the vote was closer than I had expected or liked but it passed 3-2.

The CC at that time did not have an appetite to address the issue that was left dangling – that is the excessive discharge of firearms that occurs more and more often in our city beyond the 500 foot requirement from a neighboring building. As a cop and a resident of this city for 25 years I understood that this problem would crop up again and again unless the issue of people shooting excessively and running their own gun ranges was addressed. Well at the last CC meeting we received public input from two separate parcel owners highlighting the excess rifle and other firearms discharges occurring next to them. Mr Ross – Ward 3 CC member – advised the discharges were beyond anything he ever expected would occur in Afton, that it was well beyond reasonable, and that we needed to do something to prohibit such. It is significant that Mr Ross voted against the current ordinance – which both of the citizens noted was inadequate to address these issues. I also noted again – as I have every meeting

dealing with this issue – that Gun Ranges are not an allowed use in any zone in Afton per our ordinances.

So we had a CC work session last Wednesday discussing the matter. We have another work session this Wednesday at 5 pm. Like our CC meetings it is available to be viewed by the public per the instructions for Zoom noted in the packet. At this meeting I expect a more detailed draft of revisions to code and ordinance will be provided and discussed for possible action at the next CC meeting.

Immediately after our last CC meeting, I submitted the original draft considerations proposed last year to our City Administrator to be reconsidered. I have also emailed him with my suggestions for consideration for this next go round as I discussed at the last work session.

These incidents of excess gunfire and operating private gun ranges are increasing. The two I am personally aware of involve relatively new residents to our city. I will reiterate that no one is advocating for taking away anyone's right to own firearms or possess legal firearms. I am not aware of any CC member advocating for prohibiting legal hunting in our city. Anyone saying this is what the City is proposing is not telling the truth. I am a retired cop and a former Use of Force and Firearms instructor as well as a former SWAT operator. I enjoy target shooting but I have never in my 28 years of owning property in Afton, discharged my firearm or done any target shooting on my property for safety concerns and out of respect for my neighbor's rights to peace and quiet. There are plenty of target/gun ranges around that are regulated, controlled, safe and environmentally conscious.

I would encourage any of you with concerns regarding this issue to email the City Administrator, Mayor, and entire CC about your views and ask that your concerns be read at the next meeting as I believe the city may be voting to take action this month. The last time this occurred there was plenty of blow back by some "guns rights" advocates some of whom repeated untruths about the City prohibiting ownership of firearms or halting hunting. I think it's important for this city's residents to make their voices heard so that a vocal minority (some of whom may not even reside in Afton) does not dictate for Afton what is in the residents' best interests.

I have recordings of only a sliver of what led to this renewed action on this issue. It is way beyond anything that any reasonable person living in our city should have to tolerate. It is against our own code prohibiting gun ranges. I urge everyone to put themselves in the position of having a neighbor right next door to you discharging firearms as target shooting in disregard of everyone else – and remember they wear good ear protection when they do so and the discharge and safety considerations impact not only kids, grandkids, adults, but also horses, dogs, birds, and our beloved wildlife. Those are our Afton values as I have always viewed them.

Best regards to you and wishing you good health during this Covid crisis –

Lucia Wroblewski
Ward 2 CC member

Ron Moore

From: Ward 2 Council Member ward2
Sent: Monday, June 8, 2020 7:32 PM
To: Ron Moore
Cc: Bill mayor
Subject: FW: Firearms Discharge Ordinance

More info regarding firearms from a resident.

Lucia

From: Bill Rahn [mailto:waywardrahn@gmail.com]
Sent: Sunday, June 7, 2020 12:44 PM
To: ward2 <ward2@ci.afton.mn.us>
Subject: Re: Firearms Discharge Ordinance

Thank You Lucia!

We hear gunshots frequently coming from a mile or more away from us to the North. Occasionally I suspect that someone is using a "bumpstock" type device.

It used to be happening with our next door neighbor (I think I mentioned it to you when you visited back in March), but it was not a frequent occurrence, and that property is now empty. The noise from the north is on a (nearly) daily basis.

Thanks for all you do!
Stay Safe!

On Sun, Jun 7, 2020 at 9:53 AM ward2 <ward2@ci.afton.mn.us> wrote:

Hi everyone –

As most of you if not all of you are aware, early last year there was an ongoing and excessive discharge of rifle fire in Ward 2 in a 2.5 acre neighborhood. It eventually caused a young family to move out of our city for fear for their young children who were no longer able to play in their own backyard – fear for their own safety - and also because of the complete disregard for the peace and comfort of his neighbors by the violator. Our firearms discharge ordinance was woefully inadequate as it was basically useless. I worked hard to help draft the discharge of firearms ordinance we currently have. It was a compromise of suggestions made for consideration by the full council and the vote was closer than I had expected or liked but it passed 3-2.

The CC at that time did not have an appetite to address the issue that was left dangling – that is the excessive discharge of firearms that occurs more and more often in our city beyond the 500 foot requirement from a neighboring building. As a cop and a resident of this city for 25 years I understood that this problem would crop up again and again unless the issue of people shooting excessively and running their own gun ranges was addressed. Well at the last CC meeting we received public input from two separate parcel owners highlighting the excess rifle and other firearms discharges occurring next to them. Mr Ross – Ward 3 CC member –

advised the discharges were beyond anything he ever expected would occur in Afton, that it was well beyond reasonable, and that we needed to do something to prohibit such. It is significant that Mr Ross voted against the current ordinance – which both of the citizens noted was inadequate to address these issues. I also noted again – as I have every meeting dealing with this issue – that Gun Ranges are not an allowed use in any zone in Afton per our ordinances.

So we had a CC work session last Wednesday discussing the matter. We have another work session this Wednesday at 5 pm. Like our CC meetings it is available to be viewed by the public per the instructions for Zoom noted in the packet. At this meeting I expect a more detailed draft of revisions to code and ordinance will be provided and discussed for possible action at the next CC meeting.

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Ron Moore

From: Ron Moore
Sent: Tuesday, June 16, 2020 3:27 PM
To: Bill mayor; Anne Perkins; Ward 2 Council Member ward2; ward 3; Randy ward4
Subject: FW: Produced amendments for the ordinance for discharge of firearms, gun ranges, etc.

I am forwarding an email regarding the firearms discharge ordinance.
Ron

From: ward1 <ward1@ci.afton.mn.us>
Sent: Tuesday, June 16, 2020 3:21 PM
To: Ron Moore <rmoore@ci.afton.mn.us>
Subject: FW: Produced amendments for the ordinance for discharge of firearms, gun ranges, etc.

Hi Ron,

Could you please forward this to the other Council members and mayor for tonight's discussion?

Thank you!
Annie

From: raisedbychickens@gmail.com <raisedbychickens@gmail.com>
Sent: Monday, June 15, 2020 3:09 PM
To: ward1 <ward1@ci.afton.mn.us>
Subject: Produced amendments for the ordinance for discharge of firearms, gun ranges, etc.

Hello Annie,
I just left you voice mail.

I'm a resident of Ward 1 (on 36th St. S.) and want to provide some feedback regarding the "meeting date June 16, 2020 council action memo" dated June 9th.

Overall, I want to thank you for your work on this issue.

I have one piece of input. I would suggest that in the updates to #3 (public nuisance noises), a.1, that you consider the minimum distance from which firearms can be discharged be measured relative to the *nearest property line* of any adjacent parcel, not the *nearest house* on any adjacent parcel.

The current ordinance allows a property owner to discharge firearms next to their property line as long as the person discharging the firearms maintains a minimum distance of 500 feet from any residence or accessory building on a parcel under separate ownership (see Section 14-1, item (g), number 2). That seems odd – I don't see a minimum distance from the property line? Perhaps in at least the updates for the clay pigeons you could think about making sure that people don't discharge the rounds next to their property line, which could interfere with the enjoyment of neighbors who are outside and behind their house, even if the house is at least 1320 feet away.

Thanks,

Val
651-261-0947

Ron Moore

From: Ron Moore
Sent: Monday, June 29, 2020 9:01 AM
To: Julie Yoho
Subject: firearms email

Julie,
Another firearms email.
Ron

----- Forwarded Message -----

From: James Rickard <jgrickard@yahoo.com>
To: Ron Moore <rmoorse@ci.afton.mn.us>
Cc: Ward2 <ward2@ci.afton.mn.us>; Lucia and Jen <ljlabsdance@gmail.com>
Sent: Tuesday, June 16, 2020, 10:49:04 AM CDT
Subject: Comments for Public Hearing

Mr. Moore,

Could you please read the following comments into the public record during the hearing on the proposed changes to Afton's firearms discharge ordinances.

Thank you.

Mr. Mayor and members of the Afton City Council,

As a resident of Afton, I am in support of the proposed changes to Afton's firearms discharge ordinance. The right to bear arms does not provide the right to use them in ways that infringe on other's rights of tranquility. I believe the proposed changes do not place undue burden on those who wish to enjoy use of firearms on their property. I wish to point out however that the language of the ordinance will NOT fully preserve the intended tranquility as they only place limits on the "owner" of the property. This language will not prevent shooting parties where friends, family and others are involved. I urge the City to clarify this language to ensure the intended outcomes of the ordinance changes are achieved.

Thank you for your consideration and your service to the Community.

James Rickard
5650 Odell Avenue South

Ron Moore

From: Ron Moore
Sent: Monday, June 29, 2020 8:44 AM
To: Julie Yoho
Subject: FW: Firearms Discharge Ordinance

Julie,
Another firearms email.
Ron

From: Ray Lehman [<mailto:raylehman@hotmail.com>]
Sent: Sunday, June 7, 2020 10:33 AM
To: ward2 <ward2@ci.afton.mn.us>
Subject: RE: Firearms Discharge Ordinance

Thank you for your work and insight on this issue. I have often heard a lot of shots fired with what sound like large and rapid fire weapons. Mostly coming from the west of me on 50th and Trading Post. As an Army veteran and ex hunter I know the sound.

I support your efforts on this issue. I again thank you for your efforts and well written informational email.

Regards

Ray

Dear Afton City Council,

We would like to offer our apologies for contributing to a situation that finds you contemplating a large change in the firearms ordinance for our city. We are now aware of the fact that our shooting over the past few weeks has been overly loud and unpleasant to some of our neighbors. We are sincerely sorry if it has disturbed or frightened anyone. That was certainly not our intent.

Unfortunately, we were unable to reach out to any of these neighbors before things escalated to this point. The city administrator and the sheriff's deputies could not reveal the identity of those complaining. The former mayor recently attempted to organize a meeting but evidently there was no interest in meeting with us prior to this point.

We believe that this issue can and should be worked out between reasonable people and even if our neighbors are unwilling to speak with us, we plan to greatly reduce any disturbance we cause.

We respectfully ask for the opportunity to do so before significantly changing a policy that could negatively affect a large number of Afton's citizens and bring us one step closer to becoming Woodbury.

Sincerely,

Curtis and Lisa Dunn

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moore, City Administrator

Date: July 14, 2020

Re: Ordinance Amendment Regarding Barbed Wire Fencing – **Ordinance 06-2020**

In response to concerns regarding the safety of the use of barbed wire fencing in residential settings, staff drafted an ordinance amendment that amends the existing fencing ordinance to restrict the use of barbed wire fencing as follows:

- Barbed wire fencing shall be prohibited in the VHS-C and VHS-R zoning districts
- Barbed wire fencing shall be prohibited in the Rural Residential and Agricultural zoning districts; except by an administrative permit on property used for rural agriculture that includes livestock, when it is demonstrated that the fencing is required to confine the livestock.

Rural Agriculture Definition. The City Code defines rural agriculture as follows:

Agriculture, rural is a commercial food producing use on ten or more contiguous acres and is defined under a portion of Minnesota Agricultural Property Tax Law (Green Acres Law) M.S.A. § 273.111, subd. 6, Agricultural Property Tax: Real property shall be considered to be in agricultural use provided that annually it is devoted to the production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, apiary products and activities incidental thereto.

Planning Commission Recommendation

The Planning Commission recommended denial of the proposed ordinance amendment on a vote of 8-0. The Planning Commission's recommendation was based on the following concerns and questions:

- A farmer should not be required to obtain an administrative permit to use barbed wire fencing.
- Would all of the existing barbed wire fencing be required to be removed?
- What is the urgent need for restricting barbed wire fencing?
- What happens if a barbed wire fence is installed on a property that is being used for rural agriculture, but the rural agriculture use is discontinued?

Revised Ordinance Language

In response to the Planning Commission's concerns and questions, staff has prepared a revised ordinance amendment for the Council's consideration. The revised ordinance language is as follows:

- Barbed wire fencing is prohibited in the Downtown Village Area's VHS-C and VHS-R zoning districts
- Barbed wire fencing is prohibited in the Rural Residential zoning district on lots less than 5 acres in size.

Regardless of the ordinance language, all existing barbed wire fencing is allowed to remain in place.

Ordinances Attached

Both the original ordinance reviewed by the Planning Commission and a revised ordinance that addresses questions and concerns of the Planning Commission are attached for the Council's consideration.

Council Action Requested:

Motion regarding an ordinance amendment regarding barbed wire fencing.

ORDINANCE 06-2020

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING SECTION 12-190 OF CHAPTER 12, LAND USE, OF THE CITY CODE REGARDING FENCING

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following section of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language.

Sec. 12-190. Fences.

A. Fences may be permitted in all yards subject to the following:

1. Solid walls in excess of four feet above adjacent ground grades shall be prohibited;
2. That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property;
3. Fences over six feet in height from the finished grade shall require a building permit in addition to any other required permits;
4. No fences shall be permitted on public rights-of-way; and
5. All fences shall be maintained and kept in good repair.

B. Fences may be permitted along property lines subject to the following:

1. Fences may be placed along property lines provided no physical damage of any kind results to abutting property;
2. Fences on commercial and industrial property may be erected on the lot line to a height of six feet; to a height of eight feet with a security arm for barbed wire;
3. Fences along any lot lines or within any building setback lines as defined in Section 12-55 may be a maximum of six feet in height, except as provided in Subsection (B)(5) of this section. All fences parallel to any road shall be set back a minimum of 20 feet from the road right-of-way for line-of-sight safety reasons. All fences which exceed four feet in height and which are parallel to any road shall be screened in accordance with Subsection (8) of this section.
4. Should the rear lot line of a lot be common with the side lot line of an abutting lot, that portion of the rear lot line equal to the required front yard of the abutting lot shall not be fenced to a height of more than four feet;
5. All fences on lake lots shall be set back a minimum of 20 feet from the ordinary high water mark. Fences along interior lot lines between the 20-foot setback from the ordinary high water mark and the required building setback from the ordinary high water mark shall not exceed four feet in height;
6. Fences located within the buildable area of a lot or eight feet or more from the rear lot line may be up to eight feet in height;
7. Where the property line is not clearly defined, a certificate of survey may be required by the Zoning Administrator to establish the property line;
8. The screening required in this section shall consist of forms of landscaping (plant materials) so as to block direct visual access to the fence from the street.

C. Restrictions on Barbed Wire Fencing

1. Barbed wire fencing shall be prohibited in the VHS-C and VHS-R zoning districts

2. Barbed wire fencing shall be prohibited in the Rural Residential and Agricultural zoning districts; except by an administrative permit on property used for rural agriculture that includes livestock,

when it is demonstrated that the fencing is required to confine the livestock.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

Motion by:

Second by:

Perkins:

Wroblewski:

Ross:

Nelson:

Palmquist:

ORDINANCE 06-2020

(Revised)

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C. Restrictions on Barbed Wire Fencing

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Bill Palmquist, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

- Motion by:
- Second by:
- Perkins:
- Wroblewski:
- Ross:
- Nelson:
- Palmquist:



Memorandum

To: Honorable Mayor and City Council, City of Afton

From: Nick Guilliams, City Engineer
Klay Eckles, Senior Project Manager

Date: July 21, 2020

Re: July Engineering Staff Report

1. Pay Voucher No. 2 – River Road Sanitary Sewer Improvements

Pay Voucher No. 2 for the River Road Sanitary Sewer Improvements includes minor quantity adjustments and reduction of retainage to 1%. The project is substantially complete and was delivered approximately \$10,000 under budget. A final pay voucher will be brought forward at the August meeting to close the project out.

Action: Recommend approval of Pay Voucher No. 2 for River Road Sanitary Sewer Improvement Project to Geislinger and Sons, Inc. in the amount of \$16,776.96.

2. 2020 Crackfill Project

WSB obtained quotes to crackfill 11.5 miles of various roads throughout the City. 2 quotes were received ranging from \$70,903.04 and \$27,344. The Engineer's Estimate was approximately \$60,000. The lowest quote was from Allied Blacktop Company in the amount of \$27,344. WSB estimates a not to exceed fee of \$2,000 to administer the project and perform construction observation services.

Action: Recommend approval of the quote received from Allied Blacktop Company in the amount of \$27,344 and approve a construction administration and inspection fee to WSB for a not to exceed amount of \$2,000.

3. Final Pay Voucher – Afton Downtown Village Improvements

The final pay voucher for the Downtown Village Improvements includes the release of retainage, drainage improvements at Calla Lily Day Spa, and additional sod for several properties. All closeout documentation has been received by the contractor. With work being substantially complete back in October 2018, the 2-year warranty period expires in October of this year.

Action: Recommend approval of Final Pay Voucher to Geislinger and Sons, Inc. in the amount of \$159,676.33



July 8, 2020

Mr. Ron Moorse
City of Afton
3033 St. Croix Trail South
Afton, MN 55001

Re: River Road Sanitary Sewer Improvement Project
City of Afton, MN
WSB Project No. 014030-000

Dear Mr. Moorse:

Please find enclosed Construction Pay Voucher No. 2 for the above referenced project in the amount of \$16,776.96. The quantities completed to date have been reviewed and agreed upon by the contractor, and we hereby recommend that the City of Afton approve Construction Pay Voucher No. 2 for Geislinger and Sons, Inc.

The amount indicated above reflects work certified through July 8, 2020. The retainage has been reduced to 1%. Please include one executed copy with the payment to Geislinger and Sons, Inc. and return one executed copy to our office for our file. If you have any questions or comments regarding this voucher, please contact me at 651.286.8468. Thank you.

Sincerely,

WSB

Nick Guillems
Sr. Project Manager

Attachments

kkp

178 E 9TH STREET | SUITE 200 | SAINT PAUL, MN | 55101 | 651.286.8450 | WSBENG.COM

Client: City of Afton 3033 Saint Croix Trail Afton, MN 55001	Contractor: Geislinger and Sons, Inc. 511 Central Avenue South Watkins, MN 55389
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WSB Project No.: 014030-000
Client Project No.:
State Project No.:
Federal Project No.:

Contract Amount		Funds Encumbered	
Original Contract	\$344,150.00	Original	\$344,150.00
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$344,150.00	Total	\$344,150.00

Work Certified To Date	
Base Bid Items	\$335,254.00
Contract Changes	\$
Material On Hand	\$0.00
Total	\$335,254.00

Work Certified This Voucher	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Voucher	Total Amount Paid To Date
\$3,544.00	\$335,254.00	\$3,352.54	\$315,124.50	\$16,776.96	\$331,901.46
Percent: Retained: 1%			Percent Complete: 97.42%		

This is to certify that the items of work shown in this Pay Voucher have been actually furnished for the work comprising the above-mentioned project in accordance with the plans and specifications heretofore approved.

Approved By WSB

Approved By Geislinger and Sons, Inc.

County/City/Project Engineer

Contractor

Date

Date

Approved By name

Date

Payment Summary				
No.	Up Through Date	Work Certified Per Voucher	Amount Retained Per Voucher	Amount Paid Per Voucher
1	06/05/20	\$331,710.00	\$16,585.50	\$315,124.50
2	07/08/20	\$3,544.00	(\$13,232.96)	\$16,776.96

Funding Category Name	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Voucher	Total Amount Paid To Date
unknown	\$335,254.00	\$3,352.54	\$315,124.50	\$16,776.96	\$331,901.46

Accounting Number	Funding Source	Amount Paid This Voucher	Revised Contract Amount	Funds Encumbered To Date	Paid Contractor To Date
1	Local	\$16,776.96			\$331,901.46

Contract Item Status									
Line No.	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Voucher	Amount This Voucher	Quantity To Date	Amount To Date
1	2021.501	MOBILIZATION	LS	\$12,100.00	1	0	\$0.00	0.95	\$11,495.00
2	2104.502	REMOVE SANITARY CLEANOUT	EACH	\$250.00	3	0	\$0.00	2	\$500.00
3	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	L F	\$8.00	470	0	\$0.00	393	\$3,144.00
4	2104.503	REMOVE SEWER PIPE (SANITARY)	L F	\$4.00	260	0	\$0.00	260	\$1,040.00
5	2104.504	REMOVE BITUMINOUS PAVEMENT	S Y	\$6.00	740	0	\$0.00	855	\$5,130.00
6	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	\$150.00	8	0	\$0.00	6	\$900.00
7	2231.604	BITUMINOUS PATCH SPECIAL	S Y	\$46.00	1100	77	\$3,542.00	1171	\$53,866.00
8	2502.602	6" PVC PIPE DRAIN CLEANOUT	EACH	\$1,500.00	1	0	\$0.00	1	\$1,500.00
9	2503.601	SANITARY SEWER BYPASS PUMPING	L S	\$10,000.00	1	0	\$0.00	1	\$10,000.00
10	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	\$2,500.00	1	0	\$0.00	1	\$2,500.00
11	2503.602	CONNECT TO EXISTING MANHOLES (SAN)	EACH	\$2,000.00	9	0	\$0.00	9	\$18,000.00
12	2503.602	SANITARY SEWER SERVICE	EACH	\$2,000.00	10	0	\$0.00	11	\$22,000.00
13	2503.603	6" HDPE PIPE SEWER-PIPE BURSTING	L F	\$78.00	2100	0	\$0.00	2061.5	\$160,797.00
14	2503.603	6" HDPE PIPE SEWER	L F	\$50.00	20	0	\$0.00	0	\$0.00
15	2503.603	TELEWISE SANITARY SEWER	L F	\$2.00	2110	1	\$2.00	1	\$2.00
16	2506.602	RECONSTRUCT MANHOLE INVERT (SANITARY)	EACH	\$5,000.00	5	0	\$0.00	5	\$25,000.00

17	2535.503	BITUMINOUS CURB (MODIFIED)	L F	\$9.00	1140	0	\$0.00	1030	\$9,270.00
18	2540.602	TEMPORARY MAIL BOX	EACH	\$150.00	12	0	\$0.00	12	\$1,800.00
19	2563.601	TRAFFIC CONTROL	LS	\$5,200.00	1	0	\$0.00	1	\$5,200.00
20	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	L F	\$3.00	430	0	\$0.00	100	\$300.00
21	2574.507	COMMON TOPSOIL BORROW	C Y	\$45.00	18	0	\$0.00	18	\$810.00
22	2575.504	SODDING TYPE LAWN	S Y	\$18.00	160	0	\$0.00	0	\$0.00
23	2575.508	HYDRAULIC MULCH MATRIX	LB	\$15.00	90	0	\$0.00	90	\$1,350.00
24	2575.523	RAPID STABILIZATION METHOD 3	MGAL	\$6,500.00	0.1	0	\$0.00	0.1	\$650.00
Bid Totals:							\$3,544.00		\$335,254.00

Project Category Totals		
Category	Amount This Voucher	Amount To Date
SCHEDULE A - SANITARY SEWER IMPROVEMENTS	\$3,544.00	\$335,254.00

Contract Change Item Status											
CC	CC No.	Line No.	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Voucher	Amount This Voucher	Quantity To Date	Amount To Date
Contract Change Totals:										\$	\$

Contract Change Totals				
No.	Contract Change	Description	Amount This Voucher	Amount To Date

Revised Contract Total: **\$335,254.00**

Material On Hand Additions					
Line No.	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line No.	Item	Description	Date	Added	Used	Remaining

ADDENDUM NO. 1

Bidder: <i>Allied Blacktop Company</i>	
Address: <i>10503 89th Avenue N.</i>	Telephone No.: <i>763-425-0575</i>
City, State, Zip: <i>Maple Grove, MN 55369</i>	Fax No.: <i>763-425-1046</i>

**ADDENDUM NO. 1
QUOTE FORM
2020 CRACK FILL PROJECT**

Quote due Time: 2:00 p.m.Quote due Date: Tuesday, July 14, 2020Bids Submitted to kkoscielak@wsbeng.com for:

City of Afton
3033 St. Croix Trail S
Afton, MN 55001

Dear Council Members:

1. The following quote is made for the furnishing and installing all labor and materials necessary for the 2020 Crack Fill Project, for the City of Afton, Minnesota.
2. The undersigned certifies that the Contract Documents listed in the Instructions to Bidders have been carefully examined, and that the site of the work has been personally inspected. The undersigned declares that the amount and nature of the work to be done is understood, and that at no time will misunderstanding of the Contract Documents be pleaded. On the basis of the Contract Documents, the undersigned proposes to furnish all necessary apparatus and other means of construction, to do all the work and furnish all the materials in the manner specified, and to accept as full compensation therefore the sum of the various products obtained by multiplying each unit price herein bid for the work or materials, by quantities thereof actually incorporated in the completed project, as determined by the Engineer. The undersigned understands that the quantities mentioned herein are approximate only, and are subject to increase or decrease, and hereby proposes to perform all work as either increased or decreased, in accordance with the provisions of the specification, at the unit prices bid in the following proposal schedule, unless such schedule designates lump sum bids.
3. RESPONSIBLE CONTRACTOR: The provisions of Minn. Stat. 16C.285 are imposed as a requirement of this contract. All bidders and persons or companies providing a response/submission to the Advertisement for Bids/RFP of the Owner shall comply with the provisions of the statute.
 - a. Any prime contractor or subcontractor that does not meet the minimum criteria established for a "responsible contractor" as defined in Minn. Stat. § 16C.285, subd. 3, or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the Project or to perform work on the Project.
 - b. A responding contractor shall submit to the Owner a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in clauses (1)-(6) of Minn. Stat. § 16C.285, subd. 3, at the time that it responds to this solicitation document. A responding contractor must also submit a list of first-tier subcontractors it intends to retain on the project, at the time that it responds to this solicitation document.
 - c. Prior to being awarded a contract, the apparent successful prime contractor must submit a supplemental verification under oath confirming that all subcontractors and motor carriers meet the minimum criteria of Minn. Stat. § 16C.285, subd. 3. The apparent successful prime contractor has an ongoing duty to submit supplemental verification forms for each additional subcontractor retained for the project.
 - d. A false statement under oath verifying compliance with any of the minimum criteria shall make the prime contractor or subcontractor that makes the false statement ineligible to be awarded a construction project and may result in termination of a contract awarded to a prime contractor or subcontractor that submits a false statement

4. PROPOSED SCHEDULE: The Bidder agrees to perform all work described in the specifications and shown on the plans for the following unit prices:

ITEM	UNITS	QUANTITY	UNIT PRICE	TOTAL PRICE
MOBILIZATON	LS	1	\$5,000.00	\$5,000.00
SEAL BITUMINOUS CRACKS	RD STA	588	\$38.00	\$22,344.00
GRAND TOTAL BID				\$27,344.00

5. The basis of award of the Contract will be on the Total Base Bid, as deemed to be appropriate by the Owner. The Owner reserves the right to reject any or all bids. The award of Contract will be made within 60 calendar days after opening of proposals to the lowest responsive, responsible Bidder of the Total Base Bid defined appropriate by the Owner. The Owner reserves the right to delete any item prior to final contract.
6. The undersigned further proposes to execute the Contract Agreement and to furnish satisfactory bond within ten (10) days after notice of the award of contract has been received. The undersigned further proposes to begin work as specified, to complete the work on or before date specified, and to maintain at all times performance and payment bonds, approved by the Owner, in an amount equal to the total bid.
7. In submitting this proposal, it is understood that the right reserved by the Owner to reject any or all proposals and to waive informalities.
8. In submitting this proposal, the Undersigned acknowledges receipt of and has considered the following Addenda issued to the Contract Documents:

Addendum No. 1 Dated: July 13, 2020 Addendum No. _____ Dated: _____
 Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

If any Addenda are required as determined by the Engineer, it is the responsibility of the Contractor to verify the issuance and receipt of any Addenda, and to properly acknowledge such Addenda in the appropriate location on the Proposal Form.

9. If a corporation, what is the state of incorporation?

minnesota

Official Address

10503 89th AVENUE N.
MAPLE GROVE, MN 55369

Firm Name

Allied Blacktop Company

By: Peter M. Capistrant
 (An Authorized Signature)

Title: Peter M. Capistrant
President

Date: July 14, 2020

Bidder: <u>LOPHW STATE SEALWATER, INC.</u>	
Address: <u>12519 Ethel Island Avenue</u>	Telephone No.: <u>(952) 931-4158</u>
City, State, Zip: <u>Savage MN 55378</u>	Fax No.: <u>(952) 931-0958</u>

**ADDENDUM NO. 1
QUOTE FORM
2020 CRACK FILL PROJECT**

Quote due Time: 2:00 p.m.Quote due Date: Tuesday, July 14, 2020Bids Submitted to kkoscielak@wsbeng.com for:

City of Afton
3033 St. Croix Trail S
Afton, MN 55001

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2. The undersigned certifies that the Contract Documents listed in the Instructions to Bidders have been carefully examined, and that the site of the work has been personally inspected. The undersigned declares that the amount and nature of the work to be done is understood, and that at no time will misunderstanding of the Contract Documents be pleaded. On the basis of the Contract Documents, the undersigned proposes to furnish all necessary apparatus and other means of construction, to do all the work and furnish all the materials in the manner specified, and to accept as full compensation therefore the sum of the various products obtained by multiplying each unit price herein bid for the work or materials, by quantities thereof actually incorporated in the completed project, as determined by the Engineer. The undersigned understands that the quantities mentioned herein are approximate only, and are subject to increase or decrease, and hereby proposes to perform all work as either increased or decreased, in accordance with the provisions of the specification, at the unit prices bid in the following proposal schedule, unless such schedule designates lump sum bids.
3. RESPONSIBLE CONTRACTOR: The provisions of Minn. Stat. 16C.285 are imposed as a requirement of this contract. All bidders and persons or companies providing a response/submission to the Advertisement for Bids/RFP of the Owner shall comply with the provisions of the statute.
 - a. Any prime contractor or subcontractor that does not meet the minimum criteria established for a "responsible contractor" as defined in Minn. Stat. § 16C.285, subd. 3, or fails to verify that it meets those criteria is not a responsible contractor and is not eligible to be awarded a construction contract for the Project or to perform work on the Project.
 - b. A responding contractor shall submit to the Owner a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in clauses (1)-(6) of Minn. Stat. § 16C.285, subd. 3, at the time that it responds to this solicitation document. A responding contractor must also submit a list of first-tier subcontractors it intends to retain on the project, at the time that it responds to this solicitation document.
 - c. Prior to being awarded a contract, the apparent successful prime contractor must submit a supplemental verification under oath confirming that all subcontractors and motor carriers meet the minimum criteria of Minn. Stat. § 16C.285, subd. 3. The apparent successful prime contractor has an ongoing duty to submit supplemental verification forms for each additional subcontractor retained for the project.
 - d. A false statement under oath verifying compliance with any of the minimum criteria shall make the prime contractor or subcontractor that makes the false statement ineligible to be awarded a construction project and may result in termination of a contract awarded to a prime contractor or subcontractor that submits a false statement

4. PROPOSED SCHEDULE: The Bidder agrees to perform all work described in the specifications and shown on the plans for the following unit prices:

ITEM	UNITS	QUANTITY	UNIT PRICE	TOTAL PRICE
MOBILIZATON	LS	1	\$ 5,000.-	\$ 5,000.-
SEAL BITUMINOUS CRACKS	RD STA	588	\$ 112.08	\$ 65,903.04
GRAND TOTAL BID				\$ 70,903.04

5. The basis of award of the Contract will be on the Total Base Bid, as deemed to be appropriate by the Owner. The Owner reserves the right to reject any or all bids. The award of Contract will be made within 60 calendar days after opening of proposals to the lowest responsive, responsible Bidder of the Total Base Bid defined appropriate by the Owner. The Owner reserves the right to delete any item prior to final contract.
6. The undersigned further proposes to execute the Contract Agreement and to furnish satisfactory bond within ten (10) days after notice of the award of contract has been received. The undersigned further proposes to begin work as specified, to complete the work on or before date specified, and to maintain at all times performance and payment bonds, approved by the Owner, in an amount equal to the total bid.
7. In submitting this proposal, it is understood that the right reserved by the Owner to reject any or all proposals and to waive informalities.
8. In submitting this proposal, the Undersigned acknowledges receipt of and has considered the following Addenda issued to the Contract Documents:

Addendum No. 1 Dated: 7/13/2020 Addendum No. _____ Dated: _____
 Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

If any Addenda are required as determined by the Engineer, it is the responsibility of the Contractor to verify the issuance and receipt of any Addenda, and to properly acknowledge such Addenda in the appropriate location on the Proposal Form.

9. If a corporation, what is the state of incorporation?
MINNESOTA

Official Address
12514 Charles Island Avenue
Savage MN 55378

Firm Name
GOEPHER STATE SEALWAT, INC.

Date: 7/14/2020

By: ALAN F. BLANCHARD
 (An Authorized Signature)
 Title: Corporate Secretary



July 10, 2020

Mr. Ron Moore
City of Afton
3033 St. Croix Trail South
Afton, MN 55001

Mr. Kevin Peterson
Washington County
14949 62nd Street North
Stillwater, MN 55082

Re: Construction Pay Voucher No. 23 - FINAL
Downtown Village Improvement Project
City of Afton / Washington County
WSB Project No. 1856-52

Dear Mr. Moore and Mr. Peterson:

Please find enclosed Construction Pay Voucher No. 23 - Final for the above referenced project in the amount of \$159,676.33. The quantities completed have been reviewed and agreed upon by the contractor, and we hereby recommend that the City of Afton and Washington County approve Construction Pay Voucher No. 23 for Geislinger and Sons, Inc. The maintenance bond is also attached.

The following documents have been sent to you under separate cover:

1. IC134 form.
2. Evidence in the form of an affidavit that all claims against the contractor by reasons of the contract have been fully paid or satisfactorily secured (lien waivers).
3. Consent of Surety to Final Payment certification from the contractor's surety.

The amount indicated above reflects work certified for completion of this project without retainage. Please include one executed copy of the signed voucher with the payment to Geislinger and Sons, Inc. and return one executed copy to our office for our file. If you have any questions or comments regarding this voucher, please contact me at (651) 286-8453. Thank you.

Sincerely,

WSB

Nick Guilliams, PE
Project Manager

Enclosures

kkp

AFTON - Downtown Village Improvement Project

Pay Voucher 23 FINAL



Client: City of Afton 3033 Saint Croix Trail Afton, MN 55001	Contractor: Geislinger and Sons, Inc. 511 Central Avenue South Watkins, MN 55389
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WSB Project No.: Project: 01856-52
Client Project No.:
State Project No.:
Federal Project No.:

Contract Amount		Funds Encumbered	
Original Contract	\$12,542,476.71	Original	\$12,542,476.71
Contract Changes	\$364,424.38	Additional	N/A
Revised Contract	\$12,906,901.09	Total	\$12,542,476.71

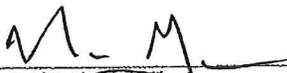
Work Certified To Date	
Base Bid Items	\$11,405,927.91
Contract Changes	\$384,976.62
Material On Hand	\$0.00
Total	\$11,790,904.53

Work Certified This Voucher	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Voucher	Total Amount Paid To Date
\$42,189.19	\$11,790,904.53	\$0.00	\$11,631,228.20	\$159,676.33	\$11,790,904.53
Percent: Retained: 0%			Percent Complete: 91.35%		

This is to certify that the items of work shown in this Pay Voucher have been actually furnished for the work comprising the above-mentioned project in accordance with the plans and specifications heretofore approved.

Approved By WSB

Approved By Geislinger and Sons, Inc.



County/City/Project Engineer



Contractor

July 10, 2020

Date

6/30/2020

Date

Approved By City of Afton

Approved By Washington County

Date

Date

Payment Summary				
No.	Up Through Date	Work Certified Per Voucher	Amount Retained Per Voucher	Amount Paid Per Voucher
1	04/30/2017	\$1,202,028.58	\$60,101.43	\$1,141,927.15
2	05/31/2017	\$1,594,172.45	\$79,708.62	\$1,514,463.83
3	06/30/2017	\$1,481,064.15	\$74,053.21	\$1,407,010.94
4	07/31/2017	\$896,312.39	\$44,815.62	\$851,496.77
5	08/31/2017	\$731,355.04	\$36,567.75	\$694,787.29
6	09/30/2017	\$1,032,908.44	\$51,645.42	\$981,263.02
7	10/31/2017	\$969,692.31	\$48,484.62	\$921,207.69
8	11/30/2017	\$1,444,172.22	\$72,208.61	\$1,371,963.61
9	12/31/2017	\$758,242.86	\$37,912.14	\$720,330.72
10	01/31/2018	\$134,158.51	\$6,707.93	\$127,450.58
11	04/12/2018	\$370,239.64	\$18,511.98	\$351,727.66
12	05/07/2018	\$13,679.40	\$683.97	\$12,995.43
13	06/12/2018	\$56,510.61	\$2,825.53	\$53,685.08
14	06/30/2018	\$116,775.44	\$5,838.77	\$110,936.67
15	07/31/2018	\$334,976.58	\$16,748.83	\$318,227.75
16	08/31/2018	\$171,070.80	\$8,553.54	\$162,517.26
17	09/30/2018	\$46,860.92	(\$281,512.46)	\$328,373.38
18	10/31/2018	\$75,985.06	\$1,899.63	\$74,085.43
19	11/30/2018	\$39,828.86	\$995.72	\$38,833.14
20	01/31/2019	\$183,718.54	\$4,592.96	\$179,125.58
21	05/14/2019	\$69,457.50	(\$174,111.72)	\$243,569.22
22	10/08/2019	\$25,505.05	\$255.05	\$25,250.00
23	06/23/2020	\$42,189.19	(\$117,487.15)	\$159,676.34

Funding Category Name	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Voucher	Total Amount Paid To Date
CITY OF AFTON Bridge No. 82507	\$250,538.97	\$0.00	\$248,033.57	\$2,505.40	\$250,538.97
CITY OF AFTON Levee & Pump Station	\$2,288,393.28	\$0.00	\$2,243,908.37	\$44,484.91	\$2,288,393.28
CITY OF AFTON Roadway	\$1,319,748.00	\$0.00	\$1,306,550.53	\$13,197.47	\$1,319,748.00
CITY OF AFTON Sanitary Sewer	\$2,632,385.23	\$0.00	\$2,606,061.38	\$26,323.85	\$2,632,385.23
CITY OF AFTON Storm Sewer	\$664,132.64	\$0.00	\$657,491.31	\$6,641.33	\$664,132.64
WASHINGTON COUNTY S.A.P 082-618-021 Roadway	\$385,968.73	\$0.00	\$382,109.03	\$3,859.70	\$385,968.73
WASHINGTON COUNTY S.A.P 082-618-021 Storm Sewer	\$126,523.95	\$0.00	\$125,258.71	\$1,265.24	\$126,523.95
WASHINGTON COUNTY S.A.P 082-621-031 Aesthetics	\$373,335.68	\$0.00	\$369,602.32	\$3,733.36	\$373,335.68
WASHINGTON COUNTY S.A.P 082-621-031 Bridge No. 82507	\$243,759.77	\$0.00	\$241,322.18	\$2,437.59	\$243,759.77
WASHINGTON COUNTY S.A.P 082-621-031 Pike, Afton Blvd, 30th St. 32nd St.	\$314,509.49	\$0.00	\$311,364.39	\$3,145.10	\$314,509.49
WASHINGTON COUNTY S.A.P 082-621-031 Roadway	\$2,267,082.90	\$0.00	\$2,224,245.77	\$42,837.13	\$2,267,082.90
WASHINGTON COUNTY S.A.P 082-621-031 Storm Sewer	\$924,525.89	\$0.00	\$915,280.63	\$9,245.26	\$924,525.89

CO	13	316	316	CALLA LILY DAY SPA DRAINAGE	LS	\$20,370.00	1	1	\$20,370.00	1	\$20,370.00
Contract Change Totals:									\$20,370.00	\$384,976.62	

Contract Change Totals				
No.	Contract Change	Description	Amount This Voucher	Amount To Date
1	CO	NOTICE TO PROCEED WILL BE ISSUED AFTER 106 PROCESS	\$0.00	\$0.00
2	CO	REPLACE INADVERTENT DISCOVERY PLAN	\$0.00	\$0.00
3	CO	UTILITY MODIFICATIONS	\$0.00	\$0.00
4	CO	CONTRACT DOCUMENT CHANGES	\$0.00	\$0.00
5	CO	REPLACE PLAN SHEETS 55, 56, AND 57	\$0.00	\$0.00
6	CO	MOVE WELL	\$0.00	\$22,889.90
1	BK	Deduction for failure to properly implement fagging control on the project.	\$0.00	(\$1,000.00)
7	CO	REVISED PLAN SHEETS FOR ROAD/UTILITY REALIGNMENT AND PARKING AREA REMOVAL	\$0.00	\$0.00
8	CO	SANITARY PLUMBING REVISIONS FOR 3411 ST. CROIX TRAIL	\$0.00	\$7,007.00
9	CO	CHANGES FOR FIELD MODIFICATIONS, QUANTITY ADJUSTMENTS AND UTILITY CONFLICTS	\$0.00	\$173,974.01
10	CO	ADDITIONAL WORK	\$0.00	\$62,815.63
11	CO	EXTEND SANITARY SEWER WEST OF PERROT AND PENNINGTON	\$0.00	\$79,430.58
12	CO	ADDNL RETAINING WALL AND DELAY LS GENERATOR PURCHASE	\$0.00	\$19,489.50
13	CO	CALLA LILY DAY SPA DRAINAGE	\$20,370.00	\$20,370.00

Revised Contract Total:	\$11,790,904.53
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Material On Hand Additions					
Line No.	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line No.	Item	Description	Date	Added	Used	Remaining

MAINTENANCE BOND

Bond No. 16136210

Geislinger & Sons, Inc.
KNOW BY ALL THESE PRESENTS, that we, 511 Central Avenue South, PO Box 437, Watkins, MN 55389-0437
(hereinafter called the "Principal"), as Principal, and The Guarantee Company of North America USA
a Michigan Corporation One Towne Square, Suite 1470, Southfield, MI 48076-3725
(hereinafter called the "Surety"), as Surety, are held and firmly bound unto the City of Afton
(hereinafter called the "Obligee"), as Obligee in the amount of Eleven Million Seven Hundred Ninety Thousand Nine Hundred Four And 53/100
(\$11,790,904.53) for the payment of which are well and truly to be made, we, the said Principal, and
the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and
severally, firmly by these presents.

Sealed with our seals and dated this 25th day of June, 2020

WHEREAS, the said Principal has heretofore entered into a contract with City of Afton
for Downtown Village Improvement Project and,

WHEREAS, the said Principal is required to guarantee to the City of Afton
said contract against possible future repairs or replacement costs because of defaults in materials or
workmanship which may develop during the period of two years(s) from the date of acceptance of said
work under said contract.

This bond shall be effective from October 30, 2018 to October 30, 2020

NOW, THEREFORE, if the Principal shall repair any defects in said work occasioned by and resulting from
defects in materials furnished by, or workmanship of, the Principal in the performing of the work covered
by said contract, occurring within a period of two years after date of acceptance of said work by the
Obligee, then this obligation shall be null and void, otherwise to remain in full force and effect.

Geislinger & Sons, Inc.

By: Jeff Geislinger
Jeff Geislinger, President

The Guarantee Company of North America USA

By: Joshua R. Lottis
Joshua R. Lottis, Attorney-In-Fact

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: July 14, 2020

Re: 30th Street Reclamation Project Price Quotes

As was discussed at the July 7, 2020 Special Council meeting, Executive Contractors, Inc. provided the only price quote for the 30th Street Reclamation Project, but it was well below the engineer's estimate. The price quote is \$174,990. The contractor has now provided the required signed documents to allow the price quote to be accepted.

Council Action Requested

Motion regarding the acceptance of the price quote for the 30th Street Reclamation Project from Executive Contractors, Inc., in the amount of \$174,990.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: July 14, 2020

Re: Afton Creek Preserve Construction Update

Klay Eckles, of WSB, will provide an update regarding the Afton Creek Preserve Construction at the Council meeting.

Council Action Requested:

No action required.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members
From: Ron Moore, City Administrator
Date: July 16, 2020
Re: Illegal Clear Cutting on Lake Edith at 1073 Indian Trail Path

Enforcement Action Regarding Ordinance Violations

The City Attorney is drafting a formal criminal complaint and expects it to be complete by Friday, July 17. The property owner has hired an attorney, who has talked with the City Attorney and the City Administrator regarding the elements of addressing and mitigating the violations and preventing future violations.

Tree Replacement/Restitution

Staff has coordinated with Jay Riggs of the Washington Conservation District and Chris Muehlich of SavATree to prepare the parameters for a tree replacement plan. Jay Riggs and his staff are preparing the parameters and specifications, and will finalize them after Chris Muehlich inspects the site to determine the density of the trees prior to the clear cutting. Chris will not be able to get to the site until Thursday, July 23, but the parameters and specifications will be able to be completed quickly after that.

Restoration of Ground Cover

Jay Riggs has advised that ground cover on the site should be restored as soon as possible. Staff has directed the property owner to direct Prairie Restoration to forward their plans for groundcover restoration to Jay Riggs, so that he can ensure that the groundcover work Prairie Restoration does now is compatible with the tree planting that needs to be done.

Enforcement Action Against the Tree Service Contractor

A formal criminal complaint similar to the one for the property owner will be drafted for the tree service contractor.

Chris Muehlich, of SavATree, has advised that there is no licensing for tree service contractors through the state, but many cities do license tree service contractors. Staff is contacting the surrounding cities to see if they license tree service contractors, and particularly the contractor who did the clear cutting; and if so, will notify them of the clear cutting violations by the contractor.

Council Action Requested

No action required.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members
From: Ron Moorese, City Administrator
Date: July 14, 2020
Re: CarlsonSV Accounting Services Proposal

The Council, at its July 7, 2020 Special Meeting, discussed the attached Carlson SV accounting services proposal with Roger Schanus, of CarlsonSV, who has been the City's main contact person at CarlsonSV and would oversee the accounting work. CarlsonSV currently provides auditing services to Afton, but would prefer to provide accounting services.

CarlsonSV is currently providing accounting services to the City of Lakeland. Tom Niedzwiecki, the City's current contracted accountant, and who was formerly the contracted accountant for Lakeland, has been favorably impressed with the work CarlsonSV has been doing in the City of Lakeland. They provide all of the reports that Tom currently provides. Their price is higher than Tom's but substantially lower than other accounting firms.

Tom Niedzwiecki is planning to retire on May 31, 2021. CarlsonSV will have completed the 2020 audit by then, and would be able to begin providing accounting services at that time, including assisting the City in selecting a new auditor for the 2021 audit.

The fee for accounting services is proposed to be \$3,200 per month for the 12 months ending on May 31, 2022. While the fees are generally increased by 3.5% each 12 months, Roger Schanus indicated the fee increase can be determined at the start of each new 12 month period.

Council Action Requested:

Motion regarding the proposal from CarlsonSV for accounting services beginning on June 1, 2021, with a fee of \$3,200 per month.



July 7, 2020

To the Honorable Mayor & City Council
City of Afton
Washington County, Minnesota

We are pleased to submit this letter for providing accounting and payroll services for the City of Afton, Minnesota beginning on June 1, 2021.

CarlsonSV LLP is a regional firm with approximately ninety full-time staff and eight partners in Minnesota and Western Wisconsin. The firm currently works with 23 Minnesota cities, plus some Townships, and Wisconsin Municipalities. This gives us unique and up-to-date information on Minnesota City issues. The work will be performed by staff from our Golden Valley office. Roger Schanus will oversee the account and Kim Guyer, with assistance from other Golden Valley personnel, will perform the bulk of the daily work.

We currently work with your neighboring City of Lakeland providing nearly the same services we will provide for Afton. Their services are provided with the same software and system currently used at Afton. We also currently audit the City of Afton, so we have intimate knowledge of your systems and personnel.

These services include preparation of monthly financial reports, monthly escrow and permit fee accounting and reports, monthly, quarterly, and annual payroll taxes and building inspection accounting and reports, benefit plan reporting, on call for accounting questions, annual update of budget template, preparation of audit work papers and other documentation needed for the annual audit including trial balances for all funds, annual meeting with the Auditor, processing of all invoices, preparation of check and invoice packets, semi-monthly payroll for staff, monthly payroll for the Council, preparation of monthly Claims to be approved reports, internal control monitoring, cash flow management, fund transfers, monthly bank reconciliations, petty cash accounting, and data entry of deposits.

Our fees for these services for the 12 months ending May 31, 2022 will be \$3,200 per month with 3.5% increases each 12 months after that.

We hope our proposal will be favorably received. Please do not hesitate to contact us with any questions.

Respectfully submitted,

Matt Guyer CPA

Matt Guyer, CPA

Partner

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members
From: Ron Moore, City Administrator
Date: July 14, 2020
Re: Speed Limit Reduction on 50th Street East of St. Croix Trail – **Resolution 2020-40**

Residents on the segment of 50th Street east of County Road 21 have expressed concerns about the speed of traffic on 50th Street. Recently, there was almost a serious accident when a car being driven at high speed almost hit a pedestrian on the side of the road. State Statute allows the City to place a speed limit of 35 miles per hour on a street in a Rural Residential district, if there are houses located nearer than 300 feet from each other for at least a quarter mile of the roadway segment. This is the case for the segment of 50th Street east of County Road 21. A resolution authorizing the 35 mile per hour speed limit is attached for the Council's consideration.

Council Action Requested

Motion regarding the adoption of Resolution 2020-40, authorizing a speed limit of 35 miles per hour on the segment of 50th Street east of County Road 21.

RESOLUTION 2020-40

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

**RESOLUTION TO ESTABLISH A 35 MILES PER HOUR SPEED LIMIT ON THE SEGMENT OF
50TH STREET EAST OF COUNTY ROAD 21**

WHEREAS, the City has the authority to reduce the speed limit to 35 miles per hour in a “rural residential district,” which is a city street or town road segment with residential houses spaced less than 300 feet apart for at least a quarter-mile. (Minn. Stat. § 169.011, subd. 69a.); and

WHEREAS, the segment of 50th Street east of County Road 21 includes houses spaced less than 300 feet apart for at least a quarter mile; and

WHEREAS, residents along 50th Street have expressed concerns regarding the speed of traffic on this segment of 50th Street; and

WHEREAS, a new entrance and parking lot for Afton State Park has recently been constructed on this segment of 50th Street, which has added new traffic movements on the street.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Afton does hereby establish a speed limit of 35 miles per hour on the segment of 50th Street east of County Road 21, and does also direct speed limit signs to be placed along the road as required.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

Bill Palmquist, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

Motion by:

Second by:

Nelson:

Ross:

Wroblewski:

Perkins:

Palmquist:

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: July 16, 2020

Re: Residents Volunteer to Maintain Medians on County Road 21

At about the same time as staff were discussing the need to have someone with knowledge of perennial plantings to maintain the medians on County Road 21 at the entrance to the downtown village area, two Afton residents began to voluntarily maintain the medians. The residents are Scott Hawley and Holly Melroe. They saw that the medians needed some work, so they decided to pitched in and clean them up. They have indicated they would like to continue to maintain the medians.

Council Action Requested:
No action required.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moore, City Administrator

Date: July 16, 2020

Re: Emergency Operations Update

City Hall Remains Closed to the Public

With the Governor's extension of the Shelter In Place order, the City Hall will remain closed to the public. Staff will continue to work from home, with the exception of essential tasks that require work at City Hall. In these instances, staff will coordinate so that they are not in City Hall at the same time or they maintain social distancing.

Continuation of Virtual City Council Meetings

Based on information from the League of Minnesota Cities, some cities, particularly cities in northern Minnesota, have continued to hold in-person Council meetings throughout the period of the pandemic. Some cities stopped holding in-person Council meetings, but have decided to re-start in-person meetings.

The League is recommending that cities hold virtual meetings vs. in-person meetings, because it is safer and it is easy for the public to participate in virtual meetings. If a city decides to hold in-person meetings, the League recommends that seating be spaced for 6 feet of distancing, hand sanitizer be provided to attendees, and a city should be able to broadcast to another room if overflow seating is needed, with those wishing to address council going into the council chambers to speak. Having an online option for persons to participate would also be helpful, so the public has another option.

The City of Hastings is not holding in-person Council meetings and does not have any plans to do so. The Cities of Oakdale, Cottage Grove and Woodbury are holding in-person Council meetings again. Oakdale is having in-person Council meetings with social distancing. They removed most chairs from the Council Chambers and are only allowing 10 people from the public to attend. They do not livestream. The public can submit comments or questions regarding agenda items until 3:30 the day of the meeting. Cottage Grove provides the option of calling in via Zoom. Woodbury livestreams their in-person council meetings and people have the option of asking questions during the meeting via Zoom.

Necessary Volunteer Commission/Committee Meetings

At its May 19, 2020 meeting, the Council authorized the Design Review/Heritage Preservation Commission to conduct a design review for a garage planned in the Downtown Village area. At its June 16 meeting, the Council authorized the Parks Committee to meet remotely to enable timely decisions, subject to posting the required public notice, including the remote meeting link

Public Hearings on Zoning Applications

As authorized by the Council at its May 19, 2020 meeting, the Planning Commission is now meeting remotely to hold necessary public hearings regarding zoning applications.

COUNCIL ACTION REQUESTED:

Motion Regarding Emergency Operations.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: July 16, 2020

Re: Scheduling Work Sessions

At least two work sessions will be needed in August for the preparation of the 2021 Budget. One work session will include a 2020 mid-year financial review and an initial review of a draft 2021 budget. The second will involve discussion and decisions regarding key budget items and regarding a target tax levy increase.

Council Action Requested:

No action required. Staff will coordinate with Council members to determine two work session dates.

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

Meeting Date July 21, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorese, City Administrator

Date: July 16, 2020

Re: Settlement Agreement with Gary Maas

It appears that a settlement that reflects the Council's direction to the City's attorney, Tom Radio, and resolves both the assessment appeal and the easement condemnation, has been reached with Gary Maas. Tom Radio has drafted the attached Settlement and Release that reflects the terms of the settlement for the Council's approval, and has provided it to the attorney of Mr. Maas for his review and approval. Tom Radio has requested a short closed session at 6:30 on Tuesday, July 21 to review the Settlement and Release and in case any revisions are necessary based on the Maas attorney's review and comments.

Council Action Requested:

Motion regarding the Settlement and Release to resolve both the assessment appeal matter and the easement condemnation matter with Gary Maas.

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF WASHINGTON

TENTH JUDICIAL DISTRICT
Case Type: Assessment Appeal

MAGK One, LLC,

Plaintiff,

Court File No. 82-CV-17-2284

Court File No. 82-CV-17-2285

The Honorable Ellen L. Maas

v.

City of Afton, Minnesota,

Defendant.

**SETTLEMENT AGREEMENT AND
RELEASE**

The City of Afton, A Minnesota Statutory City,

Petitioner,

Court File No.: 82-CV-15-2287

Case Type: Condemnation

The Honorable Tad Jude

vs.

Windmill Marina Association, Inc., Afton-St. Croix Company and Garold Jarvis, The Afton Corporation/Afton St. Croix Co., Richard P. Myhers and Kimberly K. Myhers, as joint tenants, Gary and Kathleen Maas, husband and wife, and Babette B. Robb and Deborah Jankura and Pamela Robb, Trustees of the Babette B. Robb Trust and Babette B. Robb, Prestige Mortgage, Premier Bank and Western Bank,

Respondents.

**SETTLEMENT AGREEMENT AND
RELEASE-
PARCEL NUMBER B**

This Settlement Agreement and Release (“Agreement”) is entered into by and between MAGK One, LLC (“Plaintiff” or “MAGK”), and Gary and Kathleen Maas (“Respondents” or “Maas”), and the City of Afton, Minnesota (“Defendant” or “Petitioner” or “City”). Plaintiff, MAGK, Respondents, Maas, Defendant, Petitioner, and City may be collectively referred to herein as the “Parties” and each may be referred to individually as a “Party.”

WHEREAS, there is a pending action between MAGK and the City arising out of the City’s Special Assessment, Court File No. 82-CV-17-2284 (“Case #17-2284”) against certain real property commonly known as 3185 St. Croix Trail So., Afton, MN 55001, PID: 22.028.20.22.0006 (“Property 1”); and

WHEREAS, the City levied a special assessment against the Property 1 owned by MAGK in the amount of \$13,600 (“Assessment 1”);

WHEREAS, there is a pending action between MAGK and the City arising out of the City’s Special Assessment, Court File No. 82-CV-17-2285 (“Case #17-2285”) against certain real property commonly known as 15990 32nd Street, Afton, MN 55001, PID: 22.028.20.11.0007 (“Property 2”);

WHEREAS, the City levied a special assessment against Property 2 in the amount of \$27,200 (“Assessment 2”);

WHEREAS, there is a pending action between the City and Maas arising out of the City’s condemnation of a permanent easement against certain real property commonly known as 15990 32nd Street, Afton, MN 55001, PID: 22.028.20.11.0007, Court File No. 82-CV-15-2287 (Case #15-2287-Parcel Number B):

WHEREAS, the Parties desire to avoid the costs of potential litigation resulting from the continuation of the Case #17-2284, Case #17-2285, and Case #15-2287-Parcel Number B; and

WHEREAS, the Parties further acknowledge that, pursuant to the requirements of the Minnesota Civil Mediation Act, they have been advised that:

a. The mediator, Donald R. McNeil, has no duty to protect any of their interests or to provide them with any information about their legal rights;

b. Signing a mediated settlement agreement may adversely affect their legal rights;

c. The Parties may, and in fact have, consulted with an attorney before signing this Agreement in order that they may be certain of their rights; and

d. This is a mediated settlement reached pursuant to the provisions and requirements of the Minnesota Civil Mediation Act and case law interpreting the same. The Parties understand and acknowledge that it is a binding and conclusive resolution of the pending civil actions, pursuant to the terms of this Agreement. The Parties have mediated for a full session on June 19, 2020, and subsequently through their attorneys, and have reached final agreement with the assistance of the mediator.

NOW THEREFORE, to provide for full settlement and discharge of Case #17-2284, Case #17-2285, and, Case #15-2287, including any and all claims that were or could have been asserted by MAGK, Maas, or the City, and for and in consideration of the mutual promises, agreements and other consideration set forth in this Agreement, the receipt of and sufficiency of which is admitted, the Parties agree as follows:

1. MAGK, Maas, and the City agree to the following:
 - a. The City will accept and MAGK will pay \$30,800 for the special assessments at issue for Property 1 and Property 2 in Case #17-2284 and Case #17-2285, with credit for payments already made by MAGK;
 - b. The City will pay and MAGK will accept \$50,000 for the condemnation proceeding relating to the eastern portion of Property 2 in Case #15-2287, with credit for the amount already paid by the City to Maas of \$30,500, for a net additional payment of \$19,500, payable within thirty days after execution of this Agreement;
 - c. MAGK acknowledges that the park dedication fee of \$5,000 for the subdivision Property 2 will be paid to the City as a condition of the approval for the subdivision of Property 2;
 - d. The City will pass a resolution that allows MAGK to subdivide and develop Property 2, in the form already conditionally approved in a resolution on July 7, 2020;
 - e. The City will pay and Maas will accept \$2,000 as reimbursement for their appraisal fees in Case #15-2287;
 - f. This will be in exchange for mutual releases, and no further attorney fees, appraisal fees or other costs to any party; and
 - g. The Parties through their respective lawyers will execute and file a separate Stipulation of Dismissal with Prejudice and Without Costs in Case #17-2284, Case #17-2285, and Case #15-2287.

2. The Parties mutually release any and all claims of any kind or nature, known or unknown, past, present, or future, they may have against the other, arising from or in any way related to Case #17-2284, Case #17-2285, and Case #15-2287, whether those claims are based in common law, contract, tort, statute, or otherwise. The Parties agree that the

release includes The Parties' insurers, successors, parents, affiliates, assigns, agents, employees, officers, directors, and members of each.

The Parties expressly acknowledge this is a Release in full and that they will never again be able to recover money or damages of any kind from each other as a result of any claims that were, or could have been, asserted in Case #17-2284, Case #17-2285, and Case #15-2287. The Parties expressly waive and assume the risk of any and all claims which exist as of this date, but of which the Parties do not know or suspect to exist, whether through ignorance, oversight, error, negligence, or otherwise, and which, if known, would materially affect the Parties' decision to enter into this Agreement.

3. Nothing contained in this Agreement shall be deemed or construed as an admission of liability or damages on the part of any Party in connection with the Case #17-2284, Case #17-2285, or Case #15-2287, and all such liability is expressly denied.

4. The Parties agree that each party shall bear its own costs, appraiser fees, and attorneys' fees regarding Case #17-2284, Case #17-2285, and Case #15-2287, except as set forth above for the payment of an appraisal fee of \$2,000 payable to Maas from the City.

5. MAGK and Maas warrant that they are not relying on the advice, opinion or judgment of the City or the City's counsel with respect to the federal or state tax consequences of this Agreement, if any.

6. Each signatory to this Agreement warrants and represents:

- a. The persons executing this Agreement have the authority to bind the Party for whom such person acts.

- b. Prior to the execution of this Agreement, MAGK, Maas, and the City have fully informed themselves concerning the terms, contents, provisions and effects of this Agreement, and have informed themselves of all facts and conditions sufficient and necessary to the decision to execute this Agreement, and aver that they have read each and every term of this Agreement and that they agree to those terms.
- c. MAGK, Maas, and the City have relied upon the advice of their own attorneys and are entering into this Agreement of their own free will and accord, and without duress or other compulsion.
- d. This Agreement embodies merges and integrates all prior and current agreements and understandings between and among MAGK, Maas, and the City, and may not be clarified, modified, changed or amended except in writing. Any clarification, modification, change or amendment may not be enforced unless signed by the party against whom the clarification, modification, change or amendment is to be enforced.

7. This Agreement is made and is performable in Minnesota, and shall be governed and construed in accordance with the laws of Minnesota; except that the normal rule of construction that ambiguities shall be construed against the drafter of a document shall not be employed in the interpretation of this Agreement.

8. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes, and all of which shall constitute one instrument.

9. If a Court of competent jurisdiction finds any provision or term of this Agreement to be unenforceable, such provision or term remains in force to the extent that a Court holds it to be enforceable.

10. The "Date of the Agreement" means the date on which this Agreement is fully executed by the signature of the last person whose signature is called for by the Agreement.

11. The terms of this Agreement are contractual and are not mere recitals.

IN WITNESS WHEREFORE, the undersigned have executed this Agreement on the dates set forth below.

AGREED:

Dated: _____, 2020

MAGK One, LLC

By: _____

Its: _____

Dated: _____, 2020

Gary Maas

Dated: _____, 2020

Kathleen Maas

Dated: _____, 2020

CITY OF AFTON, MINNESOTA

By: _____

Its: _____

AS TO FORM:

JOHNSON/TURNER LEGAL

Dated: _____, 2020

By: _____

David K. Snyder, #251392
55 East Broadway Avenue, Suite 206
Forest Lake, MN 55025
Telephone: (651) 464-7292
david@johnsonturner.com

**ATTORNEYS FOR MAGK ONE, LLC, GARY
MAAS, AND KATHLEEN MAAS**

FELHABER LARSON

Dated: _____, 2020

By: _____

Thomas J. Radio, Esq., #137029
220 South Sixth Street, Suite 2200
Minneapolis, Minnesota 55402
Telephone: (612) 373-8420
tradio@felhaber.com

**ATTORNEYS FOR THE CITY OF AFTON,
MINNESOTA**