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

APPROVED City Council Regular Meeting Minutes
November 19, 2019
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 P.M.

1. THE MEETING WAS CALLED TO ORDER at 7:00 P.M. by Mayor Bill Palmquist

2. THE PLEDGE OF ALLEGIANCE – was recited.

3. ROLL CALL: Mayor Palmquist, Council Members Lucia Wroblewski, Stan Ross, Randy Nelson. **A Quorum was Present.** Annie Perkins absent (excused).

ALSO PRESENT: City Accountant Tom Niedzwiecki, City Administrator Ron Moore, City Engineer Nick Guilliams.

4. APPROVAL OF AGENDA –

Add items: “Laserfiche update”, “report on video server”, “City reimbursement for barriers on 60th”, “minutes of Oct 21 work session”, “holiday gathering” & “work session”

Motion/Second Palmquist/Ross to approve the agenda for the November 19, 2019 Regular City Council meeting with additions listed. Passed 4-0.

5. APPROVAL OF MINUTES

A. Minutes of the October 15, 2019 Regular City Council meeting

Motion/Second Ross/Wroblewski to accept the minutes of the October 15, 2019 Regular City Council meeting as amended. Passed 4-0.

B. Minutes of the October 21 Work Session.

Motion/Second Ross/Wroblewski to approve the minutes of the October 21 City Council Work Session. Passed 4-0.

6. PUBLIC INPUT –

David Husebye, 5830 Osgood Ave Ct S; Stated he was concerned over a meeting he attended where Mr Carlson showed lack of concern for the environment. He displayed photos showing runoff issues from the development. The developer’s agreement states the environment will be protected.

7. REPORTS/PRESENTATIONS –

A. Sheriff’s Monthly Report

Deputy Steve Wittle took questions regarding on the monthly incident report.

B. Tom Niedzwiecki, Budget Report

Provided an overview of the financial reports.

C. Lower St. Croix Fire District Report

Council member Nelson reported that a major fire occurred on Hudson Road at BJ Transport.

At the regular meeting the Asst. Fire Chief indicated they would like to do inspections at commercial properties

8. CONSENT AGENDA

A. Just and Correct Claims

54 **B. 4M Fund Transfer August – Resolution 2019- 39**
55 **Motion/Second Ross/ Palmquist to approve Resolution 2019-39, 4M fund transfers for October. Roll**
56 **call: All aye, Passed 4-0.**
57

58 **9. CITY COUNCIL BUISINESS**

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

60 1. Draft PLCD ordinance amendment

61 Chair Kopitzke stated that the Planning Commission would like to include enforcement language. The
62 Public hearing is planned to be held in January.

63 Council member Ross expressed concern about attendance at meetings.

64 Council member Wroblewski stated that she would like to see stronger language in the section on
65 requiring “harmony”; so that the city would have more control to prioritize the location of open space in
66 relation to the land use of existing area.

67 Mayor Palmquist suggested including a link between proposed development and surrounding natural
68 features

69 Council member Wroblewski recommended enhancing item #3 with potential natural corridors
70

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

72 1. Pay Voucher No 3 – Great Northern Landscapes for the Downtown Village Improvement Project

73 Engineer Guilliams stated that this is the final pay voucher. The work is still under warranty until 2
74 years after the planting date and when accepted.

75 Council member Ross asked about remaining trees that need replacement. Also who is responsible for
76 maintenance of the center of island? (city)

77 **Motion/Second Ross/Nelson to approve Pay Voucher No 3 to Great Northern Landscapes in the**
78 **amount of \$5,949.85. Passed 4-0.**
79

80 2. Proposal for All-Way Stop analysis at Trading Post Trail and 50th St.

81 **Engineer Guilliams stated that a study is needed. There is a State statute that determines where**
82 **stop signs can be.**

83 Council member Wroblewski stated that blinking lights at 2-way stop can help also, and an approach
84 warning. Would like input from residents.

85 Council member Ross recommended a white line at the stop sign.

86 Wroblewski get input from public works committee

87 **Motion/Second Ross/Wroblewski to refer item to the Public Works committee. Passed 4-0.**
88

89 3. Cooperative Agreement with Washington County for Maintenance of Street Improvements

90 Engineer Guilliams stated the agreement is standard with the city responsible for the drainage pond -
91 ponds take city drainage also.

92 Council member Ross asked if we are budgeting correctly for future maintenance on these items.

93 Currently cleaning out pond in Carver Park.

94 **Motion/Second Ross/Nelson to approve the maintenance agreement with Washington County**
95 **for maintenance of street improvements. Passed 4-0.**
96

97 **C. Administration –**

98 1. Afton Creek Preserve Construction Update

99 Administrator Moose stated that a Special meeting was held on the 15th to discuss issue of ponds
100 not functioning. Action plan has been provided.

101 Engineer Guilliams stated that infiltration testing occurred this week. Both were passing results
102 (pond 4 and 2).

103 John, Developers engineer, stated no clay was found.

104 Council member Wroblewski asked about pond 7? How much time is reasonable? timeline? Are we
105 limited in options over winter?

106 Hildebrand answered they would like to hear from the developers engineer on their solution. There
107 are numerous solutions that could be done. (John indicated he would like 2 weeks)
108 Mayor Palmquist stated there is a hole in tree coverage where is it needed the most to screen
109 neighbor property. Property owner will allow contractor to use part of her land to plant if needed.
110 Council member Wroblewski has a list of issues going back to May. Realty signs in ROW, no const.
111 traffic sign off Odell.
112 Council member Ross stated there are signs everywhere in Afton, we need to be consistent.
113 Everything within ROW should come down.
114 Mayor Palmquist agreed that we need to be equitable.
115 Administrator Moorse could have discussion with the AABA. Realty signs have been removed on
116 multiple occasions if left out.
117 Council member Wroblewski asked about elevations (Guilliams replied they are all very close to
118 plan and are not affecting drainage)
119 Regarding Pond 5 Hildebrand stated the adjacent landowners had noticed increased flowage. The
120 berm was built to design but adjacent owners not pleased with quantity of water flowing. Could
121 come up with a solution. They have reasonable concerns about quantity and rate of discharge.
122 **Motion/Second Ross/Palmquist to hold Special Council meeting on December 4 to view results**
123 **on pond 7. Passed 4-0.**
124

- 125 2. Tom Gasser Retaining Wall and Rain Garden at 4220 River Rd
126 Administrator Moorse provided a summary: Tom Gasser obtained a variance to construct an addition on
127 the existing house at 4220 River Road. The addition is now built and the project is nearly complete.
128 While the plan for the project included the construction of a retaining wall along the west side (rear) of
129 the addition, the plan did not include the rear retaining wall extending 7 feet beyond the south end of the
130 addition or a retaining wall along the south side of the addition. A retaining wall has been installed
131 three feet from the south property line. While the project plan included a rain garden setback five feet
132 from the south property line, a rain garden has been installed less than one foot from the south property
133 line. The property owner to the south is concerned that the rain garden was built too close to her
134 property and with no advance notice to her, and the retaining wall was built too close to her property
135 and again with no notice to her.
136 **Motion/Second Ross/Wroblewski move to deny request from Tom Gasser to allow the retaining**
137 **wall on the south side of the house to remain in its current location 3 feet from the property line**
138 **and to allow the rain garden on the south side of the property to remain in its current location one**
139 **foot from the property line.**
140 Discussion
141 Mayor Palmquist stated that a variance was granted and it has to be built the way it was approved.
142 Tom Gasser stated the retaining wall variance was followed for height and distance from house. The
143 landscaper took around house to follow contour, the excavator had to fit around house.
144 Council member Ross stated there is another complaint from neighbors to the north about a fence.
145 Council member Wroblewski stated that the work looks nice but we need to stick to the rules. The rain
146 garden can be moved.
147 Administrator Moorse stated the south side retaining wall is 7' away from house.
148 Mayor Palmquist stated that the issues is not coming in for review, and not building as per the plan.
149 Janel Woodfill, neighbor on south; Concerned about amount of excavation and equipment. Raingarden
150 was put in wrong place.
151 Council member Wroblewski offered a friendly amendment to move raingarden and retaining wall on
152 south side to proper locations.
153 Mayor Palmquist stated the variance was to minimize the cut into the bluff.
154 Council member Ross stated we need to stick to the spirit of the variance.
155 Pond will have to move, retaining wall moved within 3' of house.
156 **Motion Vote: Passed 4-0.**
157

- 158 3. Short term rentals Draft Ordinance
159 Administrator Moose provided a draft ordinance for review.
160 Council member Nelson stated he is not in favor of this use in Afton.
161 Council member Wroblewski suggested no license for more than 6 persons regardless of septic. Include
162 a license denial clause.
163 Mayor Palmquist stated issues arise when it's not someone's home and it's being rented. Owners must
164 homestead.
165 Council member Ross stated he has concerns about enforcement.
166 Council member Wroblewski stated she would like public input.
167 Mayor Palmquist stated the ordinance should go to Planning Commission to hold public hearings.
168 Administrator Moose suggested putting information in the newsletter
169 **Motion/Second Palmquist /Nelson to send draft ordinance to Planning Commission for review and**
170 **to hold public hearing after notice is published in the newsletter. Passed 4-0.**
171
- 172 4. Highland Sanitation Request for Rate Increases
173 Highland Sanitation has requested rate increases for its solid waste disposal service and its recycling
174 service for 2020.
175 **Motion/Second Ross/Nelson to approve rate increase as per staff recommendations and amend**
176 **amounts after discussion.**
177 Discussion
178 Mayor Palmquist asked about tipping fee (what trucks pay at end facility)
179 Bobby Stewart, Highland Sanitation explained there have been many changes in the acceptable purity of
180 recyclables. Their largest expenses are labor costs.
181 Discussion was held regarding signing a 5 yr contract and then re-setting rates every year.
182 Council member Ross stated that when Highland was selected, the rate we paid was a small factor in
183 overall rating for selection. They have always been very responsive to issues.
184 **Ross withdraw motion**
185 **Motion/Second Ross/ to approve the rate increase of 6%, 9.1%, 3.5% recycling split increase**
186 **with staff. (No second, motion fails)**
187 Mayor Palmquist would support the staff recommendation
188 **Motion/Second Ross/Nelson to approve staff recommendation of rate increase to reflect**
189 **the increase in the tipping fee: 4.4% to 7.34%, depending on cart size**
190 • **Increase related to the CPI: Consumer Price Index-all items – including fuel: 1.7%**
191 • **Total increase: 5.1% to 9.1%, depending on cart size.**
192 **Recycling**
193 • **Increase related to the CPI-all items – including fuel: 1.7%**
194 **Passed 4-0.**
195
- 196 5. City Docks Plan Revision and Cost Increase
197 Administrator Moose provided the following information: Representatives from MEECO, including a
198 structural engineer, recently saw the dock structure for the first time, the engineer noticed cracks in the
199 welds connecting the spud pole holders to the corners of the main frame of the dock. The engineer
200 recommended replacing the existing spud pole holders, which are connected to the main frame of the
201 dock on only two sides in the corner, with a redesigned full frame corner walk attached to the main
202 frame of the dock that would have built-in spud pole holders that would be secured on all sides.
203 Gordy Jarvis, a member of the City's Dock Committee and the person responsible for the routine
204 maintenance of the docks, has indicated he has repaired a number of cracked welds in the spud pole
205 holders and has had to totally re-weld one holder. Glenn Bowman, Gordy Jarvis and Ken Johnson, all
206 members of the City's Dock Committee, agree with the recommendation to redesign the corners of the
207 dock structure to eliminate the spud pole holder issue.

208 The cost of fabricating the redesigned corner walks is \$6,415. This additional cost would bring the total
209 MEECO cost to 34,465, and the total cost for the dock project to \$64,665. The City Docks Fund has a
210 balance of \$70,000.

211 **Motion/Second Nelson/Wroblewski to have the user weld the corners and stick with the original**
212 **bid.**

213 Discussion

214 Mayor Palmquist feels it should be done right

215 Council member Wroblewski asked if we pay for maintenance? Has it been done properly?

216 Council member Nelson replied that yes there has been spot welding. Would recommend continue and
217 revisit in a year or two.

218 **Motion vote: 2-2, fails.**

219 **Motion/Second Palmquist/Ross to approve bid as recommended by dock committee.**

220 Motion withdrawn

221 **Motion/Second Palmquist/Wroblewski to approve bid and not spend any more on this project.**

222 **Passed 3-1 (Nelson Nay).**

223

224 6. Resolution Designating Polling Place for 2020 resolution 2019-40

225 **Motion/Second Palmquist/Ross to approve Resolution 2019-40 Designating Shepherd of the Valley**
226 **church as the Polling location for 2020 elections. Roll Call: All Aye, Passed 4-0.**

227

228 7. Solution for area of drainage from levee/trail

229 No action

230

231 8. Laserfiche update

232 Council member Ross provided a summary of current status and future goals.

233

234 9. Vimeo update

235 Council member Ross provided an update on the Vimeo account.

236

237 10. Reimbursement for barriers on 60th St

238 Council member Wroblewski asked if we have reimbursed for the barriers yet?

239 Administrator Moore is working on it.

240

241 11. Holiday Gathering

242 Will be held next month at 6:00 prior to the Council meeting.

243

244 12. Work Session / Special Mtg

245 Will be scheduled Dec. 4 at 5:00

246

247 **D. Committee Reports**

248 1. Public Works – no meeting

249 2. Personnel – no meeting

250 3. Parks – no report

251 4. Heritage Preservation Commission / Design Review – design reviews

252 5. Natural Resources and Groundwater – articles for newsletter

253

254 **10. COUNCIL, CONSULTANT, AND STAFF REPORTS, ANNOUNCEMENTS, AND UPDATES**

255 A. Ward 1 Council Member Perkins – absent

256 B. Ward 2 Council Member Wroblewski – no report

257 C. Ward 3 Council Member Ross – no report

258 D. Ward 4 Council Member Nelson – Mtg we held at the Eastwood property. Interest from Belwin.

259 E. Mayor Palmquist – no report

- 260 F. City Attorney Knaak – absent
- 261 G. City Administrator Moorse – no report

262

263 **11. ADJOURN**

264 **Motion/Second Nelson/Ross to adjourn. Passed 4-0.**

265

266 Meeting adjourned at 10:10pm.

267

268

269 Respectfully submitted by:

270

271 JY

272 Julie Yoho, City Clerk

273

274 Approved by Council December 17, 2019 as (check one): Presented: Amended: _____

275

276

277 Mayor Bill Palmquist _____ Date _____