

PLANNING COMMISSION AGENDA

March 7, 2016
7:00 pm

1. **CALL TO ORDER -**
2. **PLEDGE OF ALLEGIANCE -**
3. **ROLL CALL -**
 - Barbara Ronningen (Chair)
 - Sally Doherty
 - Kitty Kilmer
 - Kris Kopitzke
 - Mark Nelson
 - Judy Seeberger
 - Lucia Wroblewski
 - Scott Patten
 - Jim Langan
4. **APPROVAL OF AGENDA -**
5. **APPROVAL OF MINUTES -**
 - A. February 1, 2015 Meeting Minutes
6. **REPORTS AND PRESENTATIONS**
 - A. Comprehensive Plan Update Process - Ryan Garcia, Metropolitan Council Sector Representative
7. **PUBLIC HEARINGS -**
 - A. Nature's Trees/SavATree Conditional Use Permit application for a headquarters facility on the planned 5.9 acre parcel in the northeast corner of the property on Hudson Road with PID#06.028.20.24.0002
8. **NEW BUSINESS -**
 - A. Sec. 12-56 E and Conflicting Language Between the Comprehensive Plan and Zoning Ordinances
9. **OLD BUSINESS -**
 - A. Tom and Clare Hoelderle application for an amendment to the zoning code to allow a commercial wedding venue as a Conditional Use in the Rural Residential zoning district on lots 20 acres or greater to enable their property at 589 Manning Avenue to be used as a commercial wedding venue
 - B. Draft City Council Minutes -
 - C. Update on City Council Actions
10. **ADJOURN -**

-- This agenda is not exclusive. Other business may be discussed as deemed necessary. --

A quorum of the City Council or Other Commissions may be present to receive information.

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
February 1, 2016, 7:00 PM

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5 1. **CALL TO ORDER** – Chair Barbara Ronningen called the meeting to order at 7:00 p.m.

6
7 2. **PLEDGE OF ALLEGIANCE** – was recited.

8
9 3. **ROLL CALL** – Present: Wroblewski, Kopitzke, Chair Ronningen, Kilmer, Seeberger, Patten, Nelson and
10 Doherty. Langan arrived at 7:19 p.m. **Quorum present.**

11
12 **ALSO IN ATTENDANCE** – Alternate Council Liaison Bill Palmquist, City Administrator Ron Moore and
13 Deputy Clerk Kim Swanson Linner.

14
15 4. **APPROVAL OF AGENDA** –

16 **Motion/Second: Patten/Kilmer. To approve the February 1, 2016 Planning Commission agenda as**
17 **written. Motion carried 8-0-0.**

18
19 5. **APPROVAL OF MINUTES** –

20 A. January 4, 2016 Planning Commission Meeting Minutes –

21 **Motion/Second: Wroblewski/Nelson. To approve the January 4, 2016 Planning Commission Meeting**
22 **minutes as presented. Motion carried 8-0-0.**

23
24 6. **REPORTS AND PRESENTATIONS** – none.

25
26 7. **PUBLIC HEARINGS** –

27 A. Tom and Clare Hoelderle application for an amendment to the zoning code to allow a commercial
28 wedding venue as a Conditional Use in the Rural Residential zoning district on lots 20 acres or greater as an
29 accessory use to a principal structure – Chair Ronningen opened the Public Hearing at 7:03 p.m.

30 Administrator Moore summarized that Tom and Clare Hoelderle own the property at 589 Manning Avenue,
31 located in the Rural Residential (RR) District. They would like to use the property as a commercial wedding
32 venue. Because this use is not allowed in the RR zone, they have submitted an application for an ordinance
33 amendment to allow a commercial wedding venue use in the RR zone.

34 The applicants' attorney, Mark Thieroff, spoke about the amendment to the zoning code. Thieroff felt the
35 amendment was in conformance with the City's Comprehensive Plan, would blend with existing land use
36 patterns and supports the characteristics of the Rural Residential zone and be in accordance with six of the
37 housing and land use goals as stated in the Comp Plan: maintain low density; preserve rural character; maintain
38 natural open spaces; maintain a low demand for public expenditures; promote wise land stewardship; and, resist
39 development pressures. He stated that the performance standards reflect the manner in which the applicants
40 propose to operate their wedding venue use. Thieroff stated that one of the objections from the 2013 request by
41 the Hoelderles for a commercial wedding venue was that the Comp Plan states that commercial is only in the
42 VHS district. He pointed out that those commercial ventures are "principal uses." He noted that there are several
43 types of accessory commercial uses in all areas of the city that are allowed: Bed and Breakfasts, Produce Stands.

44 Moore indicated he had supplied additional performance standards that the Planning Commission can also
45 consider adding.

46
47 Public Comment

48 David Holm, 4960 Pheasant Ct S, spoke in favor of the zoning amendment, but wanted the restriction to
49 access from state and county roads to be eliminated. He mentioned that owners of horse barns occasionally hold
50 parties and there have been no complaints to his knowledge.

51 Mark Donnelly, 12347 8th Street S, asked if the Hoelderles were restricted in holding weddings since 2013,
52 because they have had 5 to 7 weddings on site since 2013. He stated he moved out to Afton for the peace and

53 quiet and the weddings with the traffic that comes and the parking in the field stirs up a lot of dust and the music
54 is not what he signed up for or wants.

55 Charles Bennett, 12340 8th Street Ct S, indicated his property butts up against the barn, so he looks at a “sea
56 of cars” when they have held weddings over the last two years. He stated Afton is already losing part of its rural
57 character because of the development in neighboring Woodbury and Hudson. He asked what is to keep others
58 from using their property for other uses like a car repair service as an accessory use?

59 Danielle Wamstad, 1987 Manning Avenue S, spoke in support of the ordinance allowing the commercial
60 wedding venue use. She also did not want the access restricted to state or county roads. She said even on her 40
61 acres in the agriculture zone she can walk outdoors and hear her neighbors.

62
63 **Motion/Second: Doherty/Wroblewski. To close the Public Hearing at 7:20 p.m. Motion carried 9-0-0.**

64
65 Commission Discussion

66 Kopitzke stated that if the use was going to be allowed in the Rural Residential zone it should also be
67 allowed in the Agriculture zone, as that is where the barns would be.

68 Nelson felt the requirement for access from a state or county road could be eliminated. He felt a statement
69 should be added that states, “this ordinance is to protect the health, safety and welfare of the residents of Afton.”

70 Patten felt parking is a concern as a sight nuisance; if it is a grass or gravel area it will be trampled down and
71 eventually be dusty. Looking at a field of cars is not what residents in the Rural Residential zone expect to see
72 every weekend. He commented that the ordinance amendment seems to be narrow and self-serving, rather than
73 written for the common good of the whole city.

74 Seeberger didn’t feel the ordinance amendment would pertain to just one property. She commented that
75 Woodbury has development and growth and Afton needs to manage a transition, but wants to maintain rural
76 character. She thought a commercial wedding venue would be a good fit for farms not operating anymore.

77 Langan commented that he lives two doors down from the wedding venue on 15th Street S that was
78 operating illegally until the city was successful in shutting it down. He said the receptions were out of control
79 and parking was often on the street, which was a problem. Since the city notified them to shut down, they have
80 held at least two events. Langan was concerned that if allowed in the Rural Residential zone, as property
81 develops around the site, will the events become or be seen as more and more boisterous. He is concerned that if
82 this ordinance amendment goes forward that other, problem venues, would be allowed to be reinstated.

83 Kopitzke reminded that the application in 2013 for a commercial wedding venue at the same property was
84 seen as “spot zoning.” He felt the city needs to consider how this compares with other allowed uses in the Rural
85 Residential zone. As compared to a Bed & Breakfast or a Produce Stand, it seems the use would have a lot more
86 traffic. Should the wedding venue be compared to a church? It is likely to have similar traffic counts, although
87 churches usually have paved parking lots.

88 Seeberger spoke that the 15th Street S venue was operating out of compliance, without regulations or
89 parameters.

90 Wroblewski stated that Manning is a traffic concern. She indicated that when the applicants came before
91 them in 2013 some neighbors were supportive. She is glad to see that screening is proposed in the ordinance
92 language, but perhaps that needs to be examined further.

93 Doherty also recollected that a number of neighbors in the RR zone were vocal about not expecting this type
94 of use in their zoning district.

95 Ronningen asked staff if it was determined how many properties in Afton the proposed ordinance would be
96 applicable.

97 Moorse indicated he had not checked into that.

98 Ronningen stated that other commercial accessory uses are allowed in Afton, but they are on a much smaller
99 scale. She indicated that for this high traffic use which would probably also have music, that neighbors will be
100 affected. She commented that she lives 2-1/2 miles from downtown Afton and she hears the music from the
101 street dances in the Village in the summer.

102 Kopitzke reiterated that he would accept this use in the Agriculture zone because those properties are
103 accustomed to hearing loud noises such as tractors, he felt residents in the RR zone, not so much.

104 Doherty thought that the application in 2013 ended up being okay in the Agriculture zone.
105 Wroblewski asked which portion of this owners' property does parking take up. She stated that it appears it
106 takes up a lot of space.
107 Kilmer asked if there is screening of the cars in the parking area?
108 The applicant indicated, no, there was not.
109 Kilmer thought language may need to be put in the ordinance about the frequency of events and required
110 screening, especially if this will be allowed in Rural Residential. She felt there needed to be additional
111 performance standards.
112 Doherty felt this proposal is analogous to the "sled dog" ordinance amendment of a few years back. The
113 dogs "pulled on neighbors heartstrings," until they realized it could be in anyone's backyard if adopted.
114 Patten wondered if 20 acres would be a big enough parcel. Should the size be 50 acres?
115 Nelson felt the use feels characteristically rural and wondered if there is a way to craft the ordinance so that
116 the use could be done without causing complaints. He felt the addition of language to "protect the health, safety
117 and welfare" of the public would have to be complied with, or it gets shut down.
118 Wroblewski asked how enforceable the "protect the health, safety and welfare" clause would be.
119 Ronningen commented the City has not had a good track record of enforcement.
120 Kopitzke wondered if using the "protect the health, safety and welfare" clause to shut down a business
121 would invite a lawsuit on the city. He felt other performance standards could be specified for compliance.
122 Wroblewski wanted to have the information on how many properties this ordinance would be applicable to.
123 She also felt that more performance standards would make the ordinance more enforceable.
124 Ronningen wondered why the city would need to confine the building to "existing farm buildings." She
125 asked why it would not be okay to be able to build a building that would serve this function.
126 Wroblewski felt that the Agriculture zone seemed a better place to allow this use, as the acreage and
127 screening opportunities would lend a better event outcome.
128

129 **Motion/Second: Ronningen/Kilmer. To extend the application for the ordinance amendment to allow a**
130 **Commercial Wedding Venue as an accessory use in the Rural Residential zoning district to the March 7,**
131 **2016 Planning Commission meeting in order for staff to ascertain how broadly applicable this ordinance**
132 **would be for the entire City of Afton. Motion carried 9-0-0.**
133

134 **B. Danielle and Charlie Wamstad (Traditional Ventures LLC) variance application for a driveway**
135 **easement, 1987 Manning Ave – Chair Ronningen opened the Public Hearing at 7:52 p.m.**
136 Administrator Moose summarized the Danielle and Charlie Wamstad (Traditional Ventures LLC) variance
137 application to Sec. 12-84. Driveway access permits and standards, and to Sec. 12-140. B.3 Permitted uses and
138 structures (in the Ag zone) to enable the construction of a driveway along the eastern portion of their property to
139 replace a driveway accessing Manning Avenue which will be eliminated as part of a Minnesota Department of
140 Transportation (MN/DOT) improvement project. Sec. 12-84 requires each lot to have access from the public
141 road on which it has frontage, even if it also has access through an easement on an adjacent parcel. Sec. 12-
142 140.B.3 requires a driveway in the Ag zone to be separated from adjacent driveways on the same side of the
143 street by 300 feet if located on a local or collector street. Moose explained that the Wamstads own the parcel at
144 1987 Manning Avenue, and also own the parcel to the south that fronts on both Manning Avenue and 22nd
145 Avenue. The parcel at 1987 Manning currently has a driveway that accesses the parcel from Manning Avenue
146 near the intersection of Manning and Valley Creek Road. MN/DOT's plan is to improve the intersection by
147 adding a left turn lane from northbound Manning to westbound Valley Creek Road. MN/DOT must acquire
148 additional right-of-way which is determined to be from the east side of Manning, and includes land on which the
149 Wamstad's driveway is currently located. For safety reasons, MN/DOT does not want the driveway to continue
150 to access Manning Avenue. To provide an alternate and safer location for the driveway, the Wamstads are
151 requesting a variance to enable the only access to the property to be through a driveway on an easement through
152 the parcel to the south to access 22nd Avenue. Because the driveway serves slow-moving agricultural equipment
153 in addition to residential traffic, the access onto 22nd Avenue is preferred from a safety standpoint.
154

155 The Wamstads proposed driveway would be located on the eastern portion of their southern property and would
156 be 55 feet from the existing driveway on the property to the east. The ordinance requires a minimum separation
157 of 300 feet between driveways. The proposed location was selected because there are currently utilities in the
158 area of the driveway that make it unproductive for cropland and there is currently a driveway easement along the
159 eastern boundary of the property. Also, if the driveway was located 300 feet from the neighboring driveway, it
160 would be running through the middle of a current productive crop field. In addition, locating the driveway 300
161 feet from the neighboring driveway would place it less than the required 100 feet away from the intersection of
162 22nd Avenue and Meadow Bluff Trail. Moore added that a portion of the proposed driveway would cross an
163 area recently approved to be regraded to create a grassy waterway. The resolution approving the grassy
164 waterway required that, if a culvert is installed in the future to provide access across the grassed waterway, the
165 plans for the culvert will need to be reviewed and approved by the City Engineer. A permit for the driveway is
166 currently being processed through the Valley Branch Watershed District (VBWD), and the VBWD Board will
167 consider the permit application at its January 28 meeting.

168 Richard Forsythe, MN/DOT right-of-way appraiser, spoke of the accident reports at that intersection and
169 that as a safety perspective MN/DOT wants to close the driveway access, as it is across Manning from Valley
170 Creek Road. He contended that the new holding pond to be installed where the current Wamstad driveway is
171 located should curtail the water flowage across the Wamstad property (the proposed grassed waterway) where
172 the new driveway is proposed to be located.

173 Charlie Wamstad, owner, commented that there is currently a 66 foot wide easement which allows access of
174 farm equipment on the east side of the property where they propose to locate a new driveway.

175 Larry Headrick, neighbor to the east of the Wamstad property, spoke in favor of locating the driveway 55
176 feet to the west of their driveway and felt it was a much better access for the Wamstads than Manning Avenue.

177 Tom _____, lives just down the road from the intersection and felt it was a solid case to
178 move the driveway to 22nd Street S.
179

180 **Motion/Second: Nelson/Wroblewski. To close the Public Hearing at 8:04 p.m. Motion carried 9-0-0.**

181
182 Commission Discussion

183 Kopitzke asked what would happen if the city did not approve the variance?

184 The MN/DOT appraiser stated the access would stay the same. He stated that four properties are adversely
185 affected by the intersection improvements, but none are as affected as the Wamstad's.
186

187 **Motion/Second: Seeberger/Kilmer. To recommend APPROVAL to the City Council for variance requests
188 by Danielle and Charlie Wamstad (Traditional Ventures LLC) for changes in driveway access from 1987
189 Manning Avenue to 22nd Street South to enable the construction of a driveway along the eastern portion
190 of their southern property to replace a driveway accessing Manning Avenue which will be eliminated as
191 part of a Minnesota Department of Transportation (MN/DOT) improvement project and to allow said
192 driveway to be separated from the adjacent driveway on the same side of the street by 55 feet instead of
193 the required 300 feet even though located in the Ag zone.
194**

195 Findings

- 196 1. The property is unique and has exceptional conditions as applied from the Minnesota Department
197 of Transportation (MN/DOT).
- 198 2. Granting the variance will not confer special conditions to the applicant.
- 199 3. The minimum variance is being granted.
- 200 4. The variance request is the best alternative for a solution to the problem access and intersection
201 on Manning Avenue at Valley Creek Trail.
202

203 Conditions

- 204 1. The Valley Branch Watershed District shall approve a permit for the driveway over the grassed
205 waterway.

- 206 2. **The City Engineer shall review and approve the plans for the driveway.**
- 207 3. **The driveway shall be constructed and maintained according to the approved plans and permit.**
- 208 4. **That MN/DOT provide a letter to the city stating that this alternative is the best solution for this**
- 209 **property in alleviating the dangerous access situation that they are remedying on Manning**
- 210 **Avenue at Valley Creek Trail.**

211
212 **Motion carried 9-0-0. It was noted that the City Council would take action on this application at their**

213 **February 16, 2016 meeting.**

214
215 C. Washington County's updated Subsurface Sewage Treatment System (SSTS) Ordinance – Chair

216 Ronningen opened the Public Hearing at 8:10 p.m.

217 Administrator Moose reviewed that Washington County adopted an updated Subsurface Sewage Treatment

218 System (SSTS) ordinance in April 2015. He explained that when the County adopts an updated SSTS

219 ordinance, the City has one year to adopt the new ordinance by reference, adopt its own ordinance, or adopt a

220 city ordinance that modifies the County's ordinance. The City has in the past adopted the County's ordinance.

221 Moose noted that the Planning Commission, in its review of the updated septic ordinance, noticed an

222 inconsistency between the 6 hour septage incorporation timeline and the 48 hour timeline in Table XII. Girard

223 Goder of Washington County addressing the seeming inconsistency. His indicated they are not conflicting

224 timelines, in that the 6 hour timeline is for septage that has not been treated with lime. The 48 hours is for

225 septage that has been treated with lime.

226 Lana Meyer, 5325 Manning, owner and Chris Wagner, employee of Meyer Sewer Service, spoke in favor of

227 adopting the County ordinance to allow the land spreading of septage.

228
229 **Motion/Second: Kopitzke/Patten. To close the Public Hearing at 8:14 p.m. Motion carried 9-0-0.**

230
231 It was noted that the City wishes to have Washington County notify the City of any septage spreading permits.

232
233 **Motion/Second: Ronningen/Doherty. To recommend to City Council adoption of the updated Washington**

234 **County SSTS ordinance by reference. Motion carried 9-0-0.**

235
236 **8. NEW BUSINESS -**

237 A. Comprehensive Plan Process Steps – Administrator Moose reviewed that at the January 4, 2016 Planning

238 Commission meeting, staff was requested to provide information regarding the Comprehensive Plan update

239 process. Moose indicated the Metropolitan Council's information about the Comprehensive Plan update process

240 was sent to commissioners. He noted that the website has additional information, including the System

241 Statements specific to Afton that need to be reflected in the Comprehensive Plan update, as well as other technical

242 assistance information. Two links to the Metropolitan Council information were identified:

243 <http://www.metrocouncil.org/Handbook/Review-Process/Comprehensive-Plan-Updates.aspx> and

244 <http://lphonline.metc.state.mn.us/CommPage.aspx?ctu=2393887&applicant=Afton>.

245
246 An outline of the elements of the Comp Plan were:

- 247 1. Address each of the Plan Elements
- 248 a. Land Use
- 249 b. Transportation
- 250 c. Water Resources
- 251 d. Parks and Trails
- 252 e. Housing
- 253 f. Plan Implementation
- 254 g. Resilience (in relation to climate change) *
- 255 h. Economic Competitiveness *
- 256 i. Implementation

- 257 2. Reflect the Met Council's population, household and employment forecasts in the Plan.
258 3. Reflect Afton's community designation , which is Diversified Rural, and the Met Council's policies
259 related to that designation.
260 4. Reflect each of the Met Council's System Statements in the Plan
261 a. Transportation System Statement
262 b. Water Resource Requirements/Wastewater System Statement
263 c. Regional Parks System Statement
264

265 * Resilience and Economic Competitiveness were identified as new plan elements added to this Comp Plan.
266

267 **Commissioners were asked to read the current Comprehensive Plan to familiarize themselves. They**
268 **were also asked to read the information on the Met Council Comprehensive Plan Update process.**

269 **Commissioners noted that they wanted input from City Council on the process to avoid any false**
270 **startson the update process.**

271 **Commissioners requested that the Met Council Sector Representative be invited to the March PC**
272 **meeting and to invite City Council members. Everyone should be ready with questions for the Sector Rep.**
273

274 **9. OLD BUSINESS -**

- 275 **A. Draft City Council Minutes - Update on City Council Actions – Alternate Council Liaison Bill**
276 **Palmquist reported that the Nature's Trees variance requests were approved [by a 3-2-0 vote].**
277

278 **10. ADJOURN –**
279

280 **Motion/Second: Doherty/Seeberger. To adjourn the meeting at 8:28 p.m. Motion carried 9-0-0.**
281

282 Respectfully submitted by:
283
284
285

286 _____
287 Kim Swanson Linner, Deputy Clerk
288

To be approved on March 7, 2016 as (check one): Presented: _____ or Amended: _____

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

Planning Commission Memo

Meeting: March 7, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: March 1, 2015

Re: Presentation by Ryan Garcia, Metropolitan Council Sector Representative, Regarding the Comprehensive Plan Update Process

Background

At its February 1, 2016 meeting, the Planning Commission reviewed information related to the update of the Comprehensive Plan. The Commission requested staff to invite Ryan Garcia, the Metropolitan Council Sector Representative for Afton, to the March Planning Commission meeting to provide information regarding the process of updating the Comprehensive Plan. Mr. Garcia will attend the meeting to present information and answer questions regarding the Comprehensive Plan update process.

Planning Commission Recommendation Requested:

There is no action required.

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

Planning Commission Memo

Meeting: March 7, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: March 2, 2015

Re: Nature's Trees/SavATree Conditional Use Permit application for a headquarters facility on the planned 5.9 acre parcel in the northeast corner of the property on Hudson Road with PID#06.028.20.24.0002

Background

SavATree is planning to construct its Minneapolis/St. Paul headquarters facility on a 5.9 acre site in the northeast corner of the property on Hudson Road with PID# 06.028.20.24.0002. Attached is a site plan and photos showing the proposed parcel and facility. The subdivision to create the 5.9 acre parcel is to be recorded subsequent to the approval of the conditional use permit (CUP). It is recommended that a condition of the CUP be the recording of the subdivision. The front portion of the proposed facility will be used for offices. The rear portion of the building will be used for the storage and service of a fleet of trucks and equipment and the storage of supplies. Both the office use and the storage use require a CUP. The CUP process allows the City to review the proposed uses and place conditions on the uses to address any concerns regarding the impacts of the proposed uses.

The office portion of the facility will operate as a headquarters office with professional management, sales and administrative staff. The operation of the rear portion of the facility will involve professional field personnel coming to the facility in the morning, being dispatched for the day to work on client properties, and returning at the end of the day. Fueling of trucks and equipment will take place on-site, requiring bulk fuel storage in outdoor tanks specifically designed for this purpose. There will be no chipping/processing of wood debris on the site.

Mn/DOT access requirements and permitting

Attached is a letter from Mn/DOT regarding requirements and permitting related to accessing Hudson Road. It is recommended that a condition of the CUP be that any permits required by Mn/DOT shall be acquired and all requirements placed on the permits shall be met.

Agreement regarding use of public right-of-way lane for driveway

The subdivision approval for the creation of the 5.9 acre Sav ATree parcel included the dedication of a public road right-of-way adjacent to the northwest corner of the 5.9 acre parcel. The subdivision approval included conditions related to the use of the public right-of-way lane adjacent to the SavATree parcel for a driveway to serve the SavATree facility. The City Attorney is in the process of drafting an agreement that provides for the following:

- a. Grants a temporary license to allow a driveway to be constructed on the public right-of-way lane adjacent to the SavATree parcel
- b. Provides that the City shall have no responsibility for the construction or maintenance of the driveway, or the future construction of a public road

Valley Branch Watershed District Permit

The proposed facility requires a Valley Branch Watershed District (VBWD) permit. The VBWD permit has been approved. Attached is the VBWD report memo regarding the permit.

City Engineer Review of Grading and Drainage Plan

The City Engineer is in the process of reviewing the grading and drainage plan and preparing a report regarding the plan. While the City Engineer had not notified staff of any significant concerns, he had not completed his report at the time the agenda packet needed to be finalized. The Engineer's report will be forwarded to the Commission members as soon as it is received by staff.

Conditions

1. All conditions of the June 16, 2015 approval of the subdivision to create the 5.9 acre parcel shall be met and the subdivision shall be recorded before the proposed use can begin
2. Easements as required by the City Engineer shall be granted
3. Scenic easements shall be placed on all slopes greater than 18%
4. The developer shall execute a scenic easement agreement
5. The developer shall obtain a permit for constructing a driveway in the road right-of-way
6. *The City shall have no responsibility for the construction or maintenance of the driveway, or the construction of a public road, and the developer shall enter into an agreement setting out the developer's responsibilities related to the driveway and the public road*
7. The developer shall execute the public right-of-way agreement as drafted by the City Attorney including providing that the City is under no obligation to improve the right-of-way.
8. *The developer shall follow the requirements in the septic system permit issued by the Washington County Public Health Department*
9. Grading plans shall be reviewed and approved by the City Engineer.
10. Any permits required by Mn/DOT shall be acquired and all requirements placed on the permits shall be met
11. *A permit shall be obtained from the Valley Branch Watershed District, and all requirements of that permit shall be met*
12. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.
13. *There shall be no chipping/processing of wood debris on the site*
14. The floor drain system for the shop area shall meet applicable MPCA requirements
15. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.

16. Compliance with conditions of this permit shall be monitored on a periodic basis.
17. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.

Planning Commission Recommendation Requested:

Motion regarding a recommendation concerning the Nature's Trees application for a conditional use permit for its proposed facility at the planned 5.9 acre parcel in the northeast corner of the property on Hudson Road with PID#06.028.20.24.0002, with conditions if desired.

RECEIVED

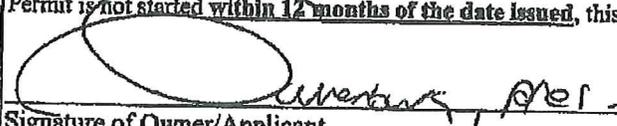
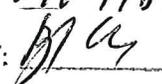
FEB 22 2016

CITY OF AFTON

Z/6-03

Updated April, 2012

CITY OF AFTON CONDITIONAL USE PERMIT APPLICATION

Owner Contract Vendee	Address	City	State	Zip	Phone
Nature's Trees, Inc. dba St. Croix SavATree	550 Bedford Road	Bedford Hills	NY	10507	914-241-4999
Applicant (if different than owner)	Address	City	State	Zip	Phone
	N/A	N/A		N/A	
Project Address	XXX Hudson Road		AFTON	MN	55001
Zoning Classification	Existing Use of Property	PID# or Legal Description			
I. 1. C.	Agriculture	TBD			
Description of Request					
Seeking to use the parcel for operation of our tree, shrub, and lawn care business. See attached narrative for more detail.					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City. If work authorized by this Conditional Use Permit is not started within 12 months of the date issued, this CUP will EXPIRE and be INVALID.					
Signature of Owner/Applicant					Date
					2/19/16
Make checks payable to City of Afton:					
FEES:			ESCROW DEPOSIT:		
CUP	\$250	CUP Escrow	\$600	TOTAL:	\$850
Amended CUP	\$250	Amend CUP Escrow	\$350	DATE PAID:	2-22-16
City Engineer	_____	Engineer Escrow	_____	CHECK #:	090418
Other	_____	Other	_____	RECVD. BY:	
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					



550 Bedford Road, Bedford Hills, NY 10507
phone: (914) 241-4999 • fax: (914) 244-9375
email: experts@savatree.com

savatree.com

February 19, 2016

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

RE: Nature's Trees Inc. Conditional Use Permit Application

Nature's Trees, Inc. (DBA St. Croix SavATree/SavaLawn) intends to use the property described in this application as its base of business operations for the Twin Cities East Metro, MN and Western Wisconsin areas. The business provides tree, shrub, and lawn care services to residential, commercial, and municipal clients.

The proposed office space will serve to house professional management, sales and administrative staff handling business operations primarily related to sales and customer service. The main portion of the warehouse space will be used for storage and service of our fleet of trucks and equipment. The warehouse space will also be used for storage and mixing of ingredients for the treatment of trees, shrubs, and lawns. Fuelling of trucks and equipment will take place on site, requiring storage of bulk fuel in outdoor tanks, specifically designed for that purpose.

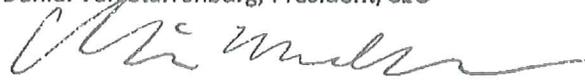
The facility will serve as the place of dispatch for approximately 30-40 professional field personnel who will arrive in the morning and dispatch for the day to work on client properties, returning at the end of the day. Staffing the site daily during business hours will be approximately 8- 10 management and administrative staff. Approximately 6-8 sales personnel will periodically visit the facility, but will largely be out meeting with clients during business hours. The facility will not have any significant number of visitors from the general public and will serve no retail function.

We intend to have an attractively landscaped, well maintained property and believe this facility will be an asset to the surrounding area.

Regards,



Daniel Van Starrenburg, President/CEO



Chris Muehleck, District Manager

Page 1 of 1

Sav-A-Tree Application

Property Ownership Exhibit

SECOND ADDENDUM (the "SECOND ADDENDUM") TO PURCHASE AGREEMENT LAND (NON-RESIDENTIAL) DATED SEPTEMBER 10, 2015 AMENDING THE CLOSING DATE

FOC, LLC, a Minnesota limited liability company, having an address at 1807 Market Boulevard, PMB 335, Hastings, MN 55033, herein referred to as "Seller" and Nature's Trees, Inc., d/b/a St. Croix SavATree, having an address at 575 Bedford Road, Bedford Hills, NY 10507 and its successors and/or assigns, herein referred to as "Purchaser", entered into a purchase agreement as of April 20, 2015 by exchanging valuable consideration and executing documents comprised of a Purchase Agreement Land (Non-Residential) Form Contract [Form MN:PA:L-I(R/14) © Minnesota Association of REALTORS®], prepared based upon Minnesota forms MSBA Real Property Form No. 17 (2005), an Addendum to Purchase Agreement: Survey, Appraisal, Development Evaluation, and Archeological / Historical Survey, and Addendum to Commercial Purchase Agreement MN-ACPA (8/13), and an Addendum to Purchase Agreement Land (Non-Residential), together being herein referred to as the "Purchase Agreement".

As stated in Paragraph 6, 'BUYER'S APPLICATION FOR PROJECT APPROVAL' of the Purchase Agreement ADDENDUM TO PURCHASE AGREEMENT LAND (NON-RESIDENTIAL) "This Purchase Agreement is contingent upon Buyer receiving all necessary City approvals for the construction of a light industrial building with sufficient parking, ingress and egress for its business operations, on or before September 30, 2015. Buyer may cancel this agreement for any reason prior to 5:00 pm, September 30, 2015,

The last sentence of Paragraph 6 further states "Closing shall take place no later than thirty (30) days after Buyer has received the City's approvals for the project or September 30, 2015, whichever occurs first."

The Parties acknowledge and agree that the above sentence is inconsistent with the intentions of the parties and other provisions of the Purchase Agreement.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, and in consideration of the mutual covenants set forth in the Purchase Agreement, Seller and Purchaser agree that Paragraph 6 'BUYER'S APPLICATION FOR PROJECT APPROVAL' of the Purchase Agreement ADDENDUM TO PURCHASE AGREEMENT LAND (NON-RESIDENTIAL), will be changed as follows:

The first sentence of the second paragraph of this contract section will read as follows:

"If Buyer has not received City approvals prior to 5:00 pm, September 30, 2015, Buyer may elect to deposit an additional \$5,000 earnest money in exchange for an extension of the due diligence period until April 30, 2016."

Last sentence of the fourth paragraph of this contract section will read as follows:

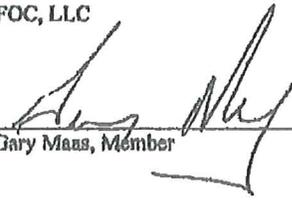
"Closing shall take place no later than thirty (30) days after Purchaser has received the City's approvals for the project, or April 30, 2016, whichever occurs first."

Sav-A-Tree Application
Property Ownership Exhibit

All other terms and conditions of the Purchase Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this Second Addendum has been duly executed by the parties hereto as of this 25th day of September, 2015 and has been made a part of the Purchase Agreement hereby.

FOC, LLC



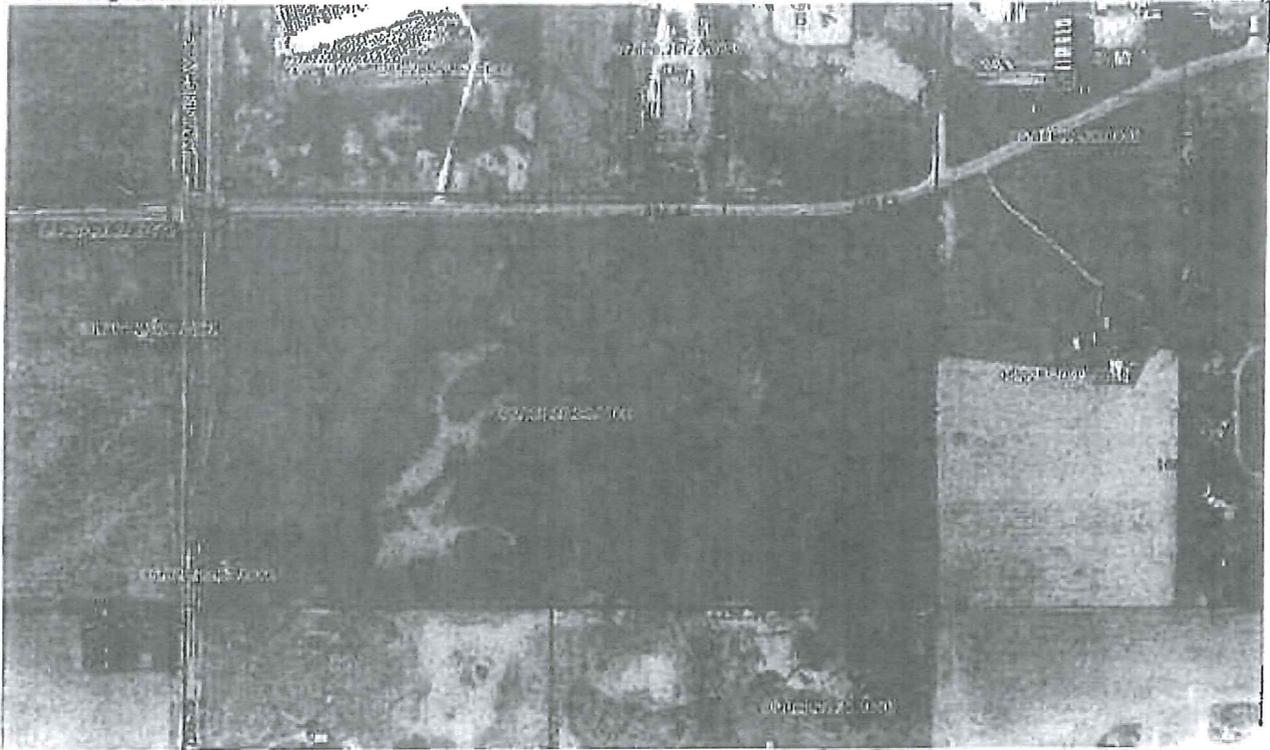
Gary Maas, Member

Nature's Trees, Inc.,
(d/b/a St. Croix SavATree)



Daniel Van Starenburg, President

PIN 06.028.20.24.0002
Acreage 71.88
Owner FOC LLC
Class Agricultural



Sav-A-Tree Application
Property Ownership Exhibit

DPS-WOODDALE LLC
or Current Resident
6007 CULLIGAN WAY
MINNETONKA MN 55345

STATE OF MN-DOT
or Current Resident
1500 COUNTY ROAD B2 W
ROSEVILLE MN 55113

RDM II CO LLC
or Current Resident
12225 HUDSON RD S
AFTON MN 55001

BERT MARY L TRS
or Current Resident
5829 WOODLANE BAY
WOODBURY MN 55129

MN DEPT OF TRANSPORTATION
or Current Resident
395 JOHN IRELAND BLVD
ST PAUL MN 55155

HOELDERLE CLARE A & PAUL T JR
or Current Resident
589 MANNING AVE S
AFTON MN 55001

DRISCOLL MICHAEL L & BRENDA NELSON
or Current Resident
501 MANNING AVE S
AFTON MN 55001

BROCKMAN THOMAS J ETAL
or Current Resident
12175 HUDSON BLVD
AFTON MN 55001

CRAIG ANDREW A & MELISSA J
or Current Resident
510 MANNING AVE S
WOODBURY MN 55129

BECHER BRADLEY J & ANGELA G
or Current Resident
12350 8TH ST CT
AFTON MN 55001

HUDSON ROAD LLC
or Current Resident
7571 9TH ST N
OAKDALE MN 55128

XCEL ENERGY
or Current Resident
414 NICOLLET MALL
MINNEAPOLIS MN 55401

ISLAMIC SOCIETY WOODBURY/EAST METRO
or Current Resident
680 COMMERCE DR # 130
WOODBURY MN 55125

FOC LLC
or Current Resident
1807 MARKET BLVD # 335
HASTINGS MN 55033

CITY OF WOODBURY
or Current Resident
8301 VALLEY CREEK RD
WOODBURY MN 55125

GOEBEL ALVIN F & JOAN M
or Current Resident
12060 110TH ST S
HASTINGS MN 55033

LAMB DOUGLAS K
or Current Resident
15 POINT RD
BAYPORT MN 55003

ALBRECHT LAURETTA O TRS
or Current Resident
1911 NOBLE RD
ARDEN HILLS MN 55112-7832

BENNETT CHARLES J
or Current Resident
12340 8TH STREET CT S
AFTON MN 55001



Valley Branch Watershed District Permit Review Memorandum

Subject: SavATree, Permit 2016-05
Applicant: Daniel Van Slarrenburg
Owner: Jean Langlais, FOC. LLC
Applicant's Engineer: Alan Catchman and Pete Moreau, CEI Engineering Associates, Inc.
Date: February 5, 2016
Barr Project No.: 23/82-0020.00 2200 357

Location: Approximately 0.4 miles east of Manning Avenue South (TH 95) and directly south of Hudson Road South, Afton
Section/Township/Range: Part of the north half of Section 6, Township 28 North, Range 21 West
Project Purpose: Construct commercial facility and associated parking on a 5.92 acre lot. The project will create 2.13 acres of impervious surface and an infiltration basin.

Conformance Summary:

Issue		Conforms to VBWD & WCA Rules?	Comments	
Stormwater Management	Rate	Yes		
	Volume	Yes		
	Quality			
	Maintenance Agreement	No, see comment		See Suggested Site-Specific Condition 1.
	Easement	Yes		See Applicable Standard Conditions 9 and 10.
Erosion Control Plan		See comment	See Applicable Standard Conditions 4-7.	
Wetland Management & Buffers	Delineation	Yes, approved on 10/22/2015		
	MNRAM Evaluation	Yes		
	Classification	Yes, the wetland within the project limits is a Manage 2		
	Filling/Sequencing	NA		
	Excavating	NA		
	Buffers	Yes		
	Hydrology	Yes		
	Replacement Plan	NA		
Banking Plan	NA			
Floodplain Management	100-Year Flood Level	Yes		
	Minimum Floor Elevations	Yes		
	Filling within Floodplain	Yes, see comment		7,007 cubic yards of fill is proposed below the 100-year flood level of the wetland. The fill will increase the flood level of the wetland by less than 0.1, as allowed by VBWD Rules.
	Easement	Yes		See Applicable Standard Conditions 9 and 10.
Permit Fee		Yes	A check for \$4,426 was submitted in September 2015 and deposited on October 19, 2015.	
Surety		See comment	No surety amount has been estimated. See Suggested Site-Specific Condition 2.	

To: VBWD Managers
From: John Hanson
Subject: SavATree, Permit 2016-05
Date: February 5, 2016
Page: 2
Project: 23/82-0020.00 2200 357
c: Suzanna Torseth, Ray Roemmich, Melissa Imse

Suggested Site-Specific Conditions:

1. This permit is not valid until a maintenance agreement in the general format of Appendix B of the VBWD Rules is submitted to and approved by the VBWD Attorney. The maintenance agreement will need to include details that address the monitoring and maintenance of the infiltration basin and sump manholes.
2. The required surety shall be submitted prior to construction.

Applicable Standard Conditions:

1. This permit is not transferable.
2. This permit is subject to obtaining all other permits required by governmental agencies having jurisdiction (including an NPDES permit).
3. The VBWD Engineer and Inspector shall be notified at least 3 days prior to commencement of work.
4. Erosion controls shall be installed prior to the commencement of grading operations and must be maintained throughout the construction period until turf is established. Additional erosion controls may be required, as directed by the VBWD Inspector or VBWD Engineer.
5. The following additional erosion controls shall be implemented on the site:
 - a. All proposed slopes 3 feet horizontal to 1 foot vertical (3H:1V) should be covered with erosion-control blanket.
 - b. Silt fence should follow existing contours as closely as feasible to limit the potential for gully erosion along the edges.
 - c. Any sediment that collects in storm sewers, ponds, or other water-management features shall be removed.
 - d. Street sweeping shall be performed if sediment collects on streets.
 - e. If erosion occurs at the outlets of the storm sewer pipes, the applicant will be responsible for correcting the problem to the satisfaction of the VBWD.
6. To prevent soil compaction, the proposed infiltration areas shall be staked off and marked during construction to prevent heavy equipment and traffic from traveling over it. If the infiltration facilities are in place during construction activities, sediment and runoff shall be kept away from the facilities, using practices such as diversion berms and vegetation around the facility's perimeter. The infiltration facilities shall not be excavated to final grade until the contributing drainage area has been constructed and fully stabilized. The final phase of excavation shall remove all accumulated sediment and be done by light, tracked equipment to avoid compaction of the basin floor. To provide a well-aerated, highly porous surface, the soils of the basin floors shall be loosened to a depth of at least 24 inches to a maximum compaction of 85% standard proctor density prior to planting.
7. All disturbed areas shall be vegetated within 14 days of final grading.
8. The applicant is responsible for removal of all temporary erosion-control measures, including silt fence, upon establishment of permanent vegetation at the project site as determined by the VBWD Engineer and/or Inspector.

To: VBWD Managers
From: John Hanson
Subject: SavATree, Permit 2016-05
Date: February 5, 2016
Page: 3
Project: 23/82-0020.00 2200 357
c: Suzanna Torseth, Ray Roemmich, Melissa Imse

9. Valley Branch Watershed District shall be granted drainage easements which cover (a) land adjacent to stormwater management facilities (including underground systems) and lowlands up to their 100-year flood elevations and (b) all ditches, storm sewers, and maintenance access to the stormwater management facilities.
10. The required drainage easement shall be recorded with the Washington County Recorder's Office.
11. Return or allowed expiration of any remaining surety and permit closeout is dependent on the permit holder providing proof that all required documents have been recorded (including but not limited to easements) and providing as-built drawings that show that the project was constructed as approved by the Managers and in conformance with the VBWD rules and regulations.

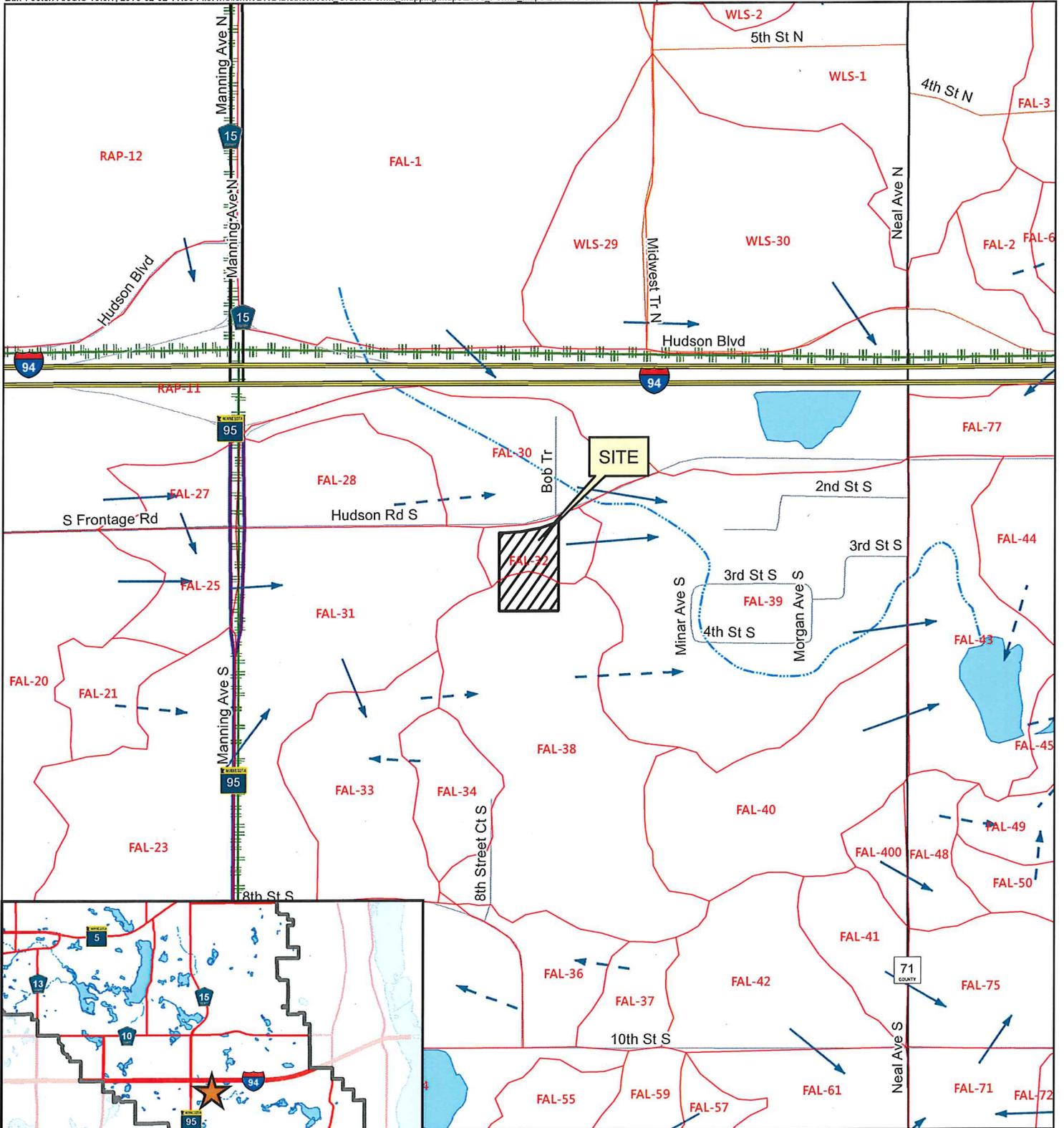


Figure 1

SITE MAP
SAVATREE DEVELOPMENT
PERMIT 2016-05
Valley Branch
Watershed District



1 SITE PLAN
Scale: 1" = 40'

PARKING REQUIRED
 1 SPACE PER 300 SQUARE FEET MAX. SHIFT
 60 EMPLOYEES / 2 = 30 PARKING SPACES
 OR 1 SPACE PER 2000 SF FLOOR AREA
 18,300 MAX. FLOOR AREA / 2000 SF = 9.15
 20,000 SF / 2000 SF = 10 PARKING SPACES REQUIRED

PARKING PROVIDED
 60 SPACES
 8 TOTAL SPACES PROVIDED
 98 TOTAL SPACES PROVIDED

Linner-Morschen Architects
 1000 University Avenue
 St. Paul, MN 55102
 Phone: 612.222.4444
 Fax: 612.222.4444
 www.linnermorschen.com

GREYSTONE CONSULTING
 888.743.6287 | www.greystoneconsulting.com

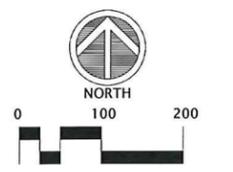
A New Facility for
SavaTree
 Alton, Minnesota

Project	1547
CAW	1547
Contract	1547
LM	1547
SP	1547
1547	1547
SP	1547

P1

CONTACT:
 FOC, LLC
 C/O GARY MAAS
 1807 MARKET BLVD.
 PBM 335
 HASTINGS, MN 55033

COUNTY/CITY:
 WASHINGTON
 COUNTY
 CITY OF
 AFTON



REVISIONS:

DATE	REVISION
4-27-15	PRELIMINARY ISSUE

CERTIFICATION:
 I hereby certify that this plan 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.
Daniel L. Thurnes
 Daniel L. Thurnes Registration Number: 25718
 Date: 4-27-15

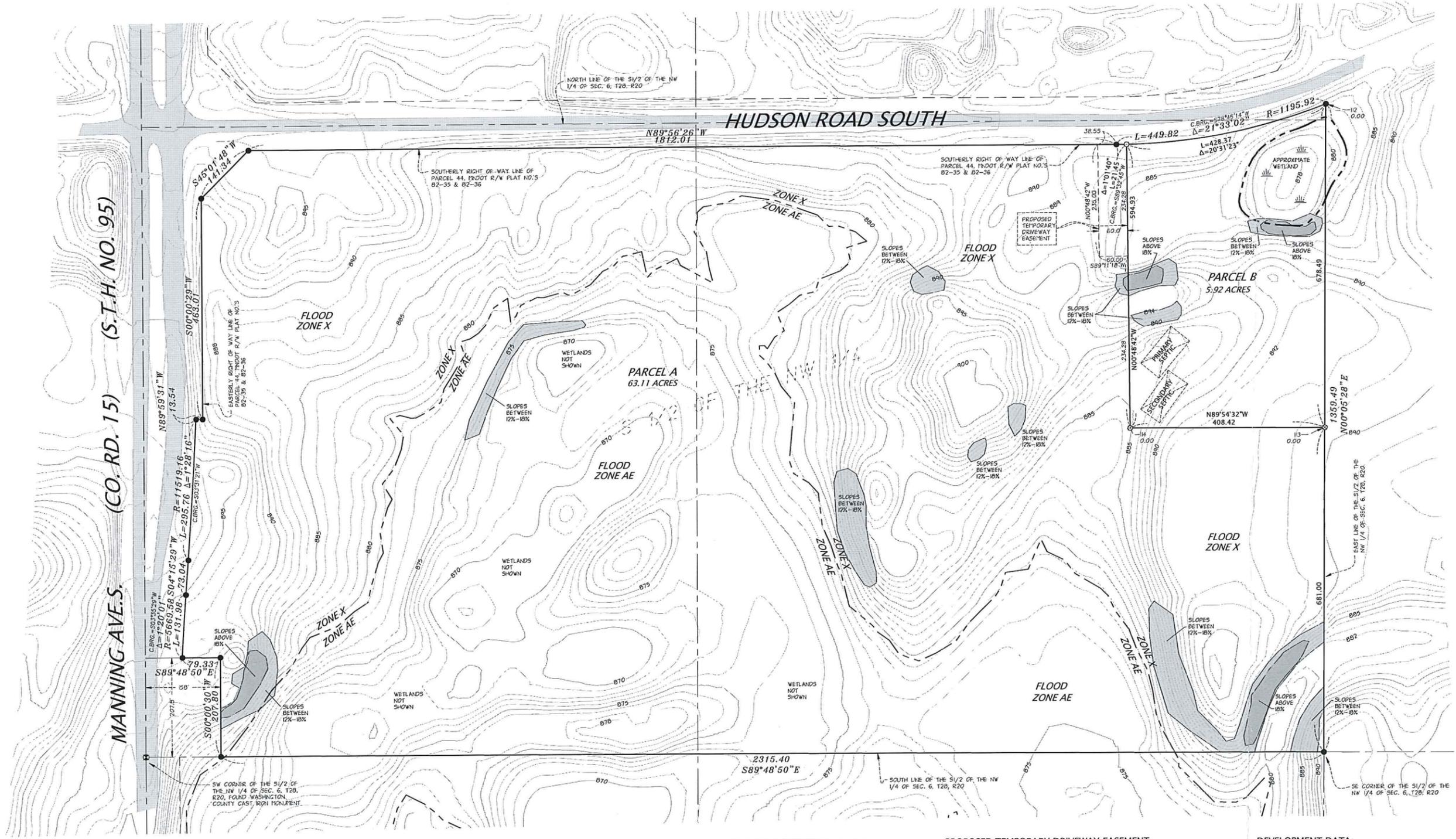
PROJECT LOCATION:
 HUDSON ROAD S.
 PID#0602820240002

Suite #1
 6750 Stillwater Blvd. N.
 Stillwater, MN 55082
 Phone 651.275.8969
 Fax 651.275.8976
 dan@
 ccsurvey
 .net

CORNERSTONE
 LAND SURVEYING, INC.

FILE NAME SURVGS40B.DWG
 PROJECT NO. GS140408

MINOR
 SUBDIVISION



EXISTING OVERALL LEGAL DESCRIPTION:

All that part of the East 700.00 feet of the Northeast Quarter of the Northwest Quarter of Section 6, Township 28, Range 20, lying southerly of a line which is 50.00 feet southerly of and parallel with the following described line:
 Beginning at the southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 89 degrees 14 minutes 36 seconds East along the south line of said Northeast Quarter of the Northwest Quarter a distance of 884.44 feet; thence easterly along a tangential curve to the left having a radius of 1145.916 feet and a central angle of 22 degrees 33 minutes 39 seconds a distance of 451.21 feet to the east line of said Northeast Quarter of the Northwest Quarter and said line there terminating;
 and
 The South Half of the Northwest Quarter of Section 6, Township 28, Range 20, EXCEPT the following two described parcels:
EXCEPTION PARCEL ONE:
 The south 207.8 feet of the West 158.00 feet of the Southwest Quarter of the Northwest Quarter of Section 6, Township 28, Range 20;
EXCEPTION PARCEL TWO:
 That part of the South Half of the Northwest Quarter of Section 6, Township 28, Range 20, shown as Parcel 44 in the plats designated as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NUMBERED 82-55 AND 82-36 on file and of record in the Office of the County Recorder in and for Washington County, Minnesota

PROPOSED LEGAL DESCRIPTION PARCEL A:

That part of the South Half of the Northwest Quarter of Section 6, Township 28, Range 20, described as follows:
 BEGINNING at the southeast corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 05 minutes 28 seconds East along the east line of said Northwest Quarter a distance of 681.00 feet; thence North 89 degrees 54 minutes 32 seconds West a distance of 408.42 feet; thence North 00 degrees 48 minutes 42 seconds West a distance of 594.93 feet to the southerly right of way line of Parcel 44 in the plats designated as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NUMBERED 82-35 AND 82-36 on file and of record in the Office of the County Recorder in and for Washington County, Minnesota; thence westerly 21.45 feet along said southerly right of way line being a non-tangential curve concave to the north having a radius of 1,195.92 feet a central angle of 01 degrees 01 minutes 40 seconds and a chord which bears South 89 degrees 32 minutes 45 seconds West; thence North 89 degrees 56 minutes 26 seconds West along said southerly right of way line a distance of 1,812.01 feet; thence South 45 degrees 01 minutes 48 seconds West along said southerly right of way line a distance of 141.34 feet; thence South 00 degrees 00 minutes 29 seconds West along the easterly right of way line a distance of 463.01 feet; thence North 89 degrees 59 minutes 31 seconds West along said easterly right of way line a distance of 13.54 feet; thence southerly 295.76 feet along said easterly right of way line being a non-tangential curve concave to the west having a radius of 11,519.57 feet a central angle of 01 degrees 28 minutes 16 seconds and a chord which bears South 03 degrees 31 minutes 21 seconds West; thence South 04 degrees 15 minutes 29 seconds West along said easterly right of way line a distance of 73.04 feet; thence southerly 131.98 feet along said easterly right of way line being a tangential curve concave to the east having a radius of 5,669.58 feet and a central angle of 01 degrees 20 minutes 01 seconds to the north line of the south 207.80 feet of said Northwest Quarter; thence South 89 degrees 48 minutes 50 seconds East along said north line of the south 207.80 a distance of 79.33 feet to the east line of the west 158.00 feet of said Northwest Quarter; thence South 00 degrees 00 minutes 30 seconds West along said east line of the west 158.00 feet a distance of 207.80 feet to the south line of said Northwest Quarter; thence South 89 degrees 48 minutes 50 seconds East a distance of 2,315.40 feet to the POINT OF BEGINNING.

PROPOSED LEGAL DESCRIPTION PARCEL B:

That part of the Northwest Quarter of Section 6, Township 28, Range 20, described as follows:
 COMMENCING at the southeast corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 05 minutes 28 seconds East along the east line of said Northwest Quarter a distance of 681.00 feet to the POINT OF BEGINNING; thence North 89 degrees 54 minutes 32 seconds West a distance of 408.42 feet; thence North 00 degrees 48 minutes 42 seconds West a distance of 594.93 feet to the southerly right of way line of Parcel 44 in the plats designated as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NUMBERED 82-35 AND 82-36 on file and of record in the Office of the County Recorder in and for Washington County, Minnesota; thence easterly 428.37 feet along said southerly right of way line being a non-tangential curve concave to the north having a radius of 1,195.92 feet a central angle of 20 degrees 31 minutes 23 seconds and a chord which bears North 78 degrees 46 minutes 14 seconds East to said east line; thence South 00 degrees 05 minutes 28 seconds West a distance of 678.49 feet to the POINT OF BEGINNING.

PROPOSED TEMPORARY DRIVEWAY EASEMENT

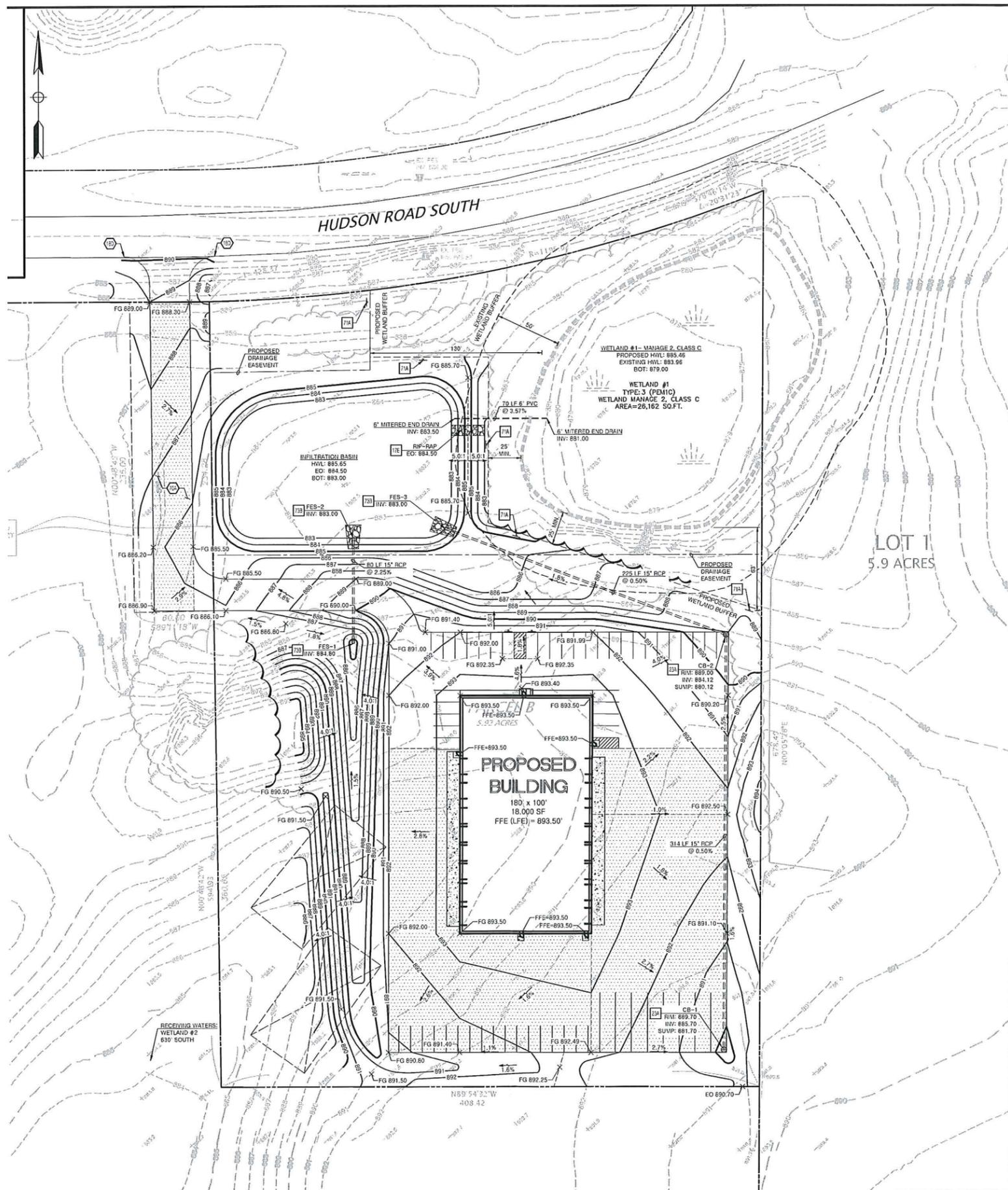
A temporary driveway easement over and across that part of the Northwest Quarter of Section 6, Township 28, Range 20, described as follows:
 COMMENCING at the southeast corner of said Northwest Quarter; thence on an assumed bearing of North 00 degrees 05 minutes 28 seconds East along the east line of said Northwest Quarter a distance of 681.00 feet; thence North 89 degrees 54 minutes 32 seconds West a distance of 408.42 feet; thence North 00 degrees 48 minutes 42 seconds West a distance of 594.93 feet to the southerly right of way line of Parcel 44 in the plats designated as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NUMBERED 82-35 AND 82-36 on file and of record in the Office of the County Recorder in and for Washington County; thence South 89 degrees 11 minutes 18 seconds West a distance of 60.00 feet; thence North 00 degrees 48 minutes 42 seconds West a distance of 235.00 feet to the southerly right of way line of Parcel 44 in the plats designated as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NUMBERED 82-35 AND 82-36 on file and of record in the Office of the County Recorder in and for Washington County; thence South 89 degrees 56 minutes 26 seconds East along said southerly right of way line a distance of 38.55 feet; thence easterly 21.45 feet along said southerly right of way line being a tangential curve concave to the north having a radius of 1,195.92 feet and a central angle of 01 degrees 01 minutes 40 seconds to the intersection with a line that bears North 00 degrees 48 minutes 42 seconds West from the point of beginning; thence South 00 degrees 48 minutes 42 seconds East a distance of 234.28 feet to the POINT OF BEGINNING.

DEVELOPMENT DATA:

PROPOSED PARCEL A = 63.11 ACRES
 LAND BELOW 13% GRADE = 61.27 ACRES
 LAND BETWEEN 13% & 18% GRADE = 1.52 ACRES
 LAND ABOVE 18% GRADE = .31 ACRES
 LAND WITHIN FLOOD ZONE AE = 26.53 ACRES
 PROPOSED PARCEL B = 5.92 ACRES
 LAND BELOW 13% GRADE = 5.62 ACRES
 LAND BETWEEN 13% & 18% GRADE = 0.18 ACRES
 LAND ABOVE 18% GRADE = .12 ACRES
 APPROXIMATE AREA OF WETLAND = 0.70 ACRES
 PUBLIC ROAD FRONTAGE = 428.37 FEET
 TOTAL AREA = 69.03 ACRES

SURVEY NOTES:

- BEARINGS ARE BASED ON COORDINATES SUPPLIED BY THE WASHINGTON COUNTY SURVEYORS OFFICE.
- UNDERGROUND UTILITIES NOT SHOWN.
- CONTOURS SHOWN PER MNTPO WEBSITE. 2012 DNR LIDAR GENERATED CONTOURS.
- BUILDINGS, TREE LINES & ROADWAYS SHOWN PER 2014 WASHINGTON COUNTY ARIEL PHOTO.
- FLOOD ZONE SHOWN PER DIGITAL DATA PROVIDED BY THE FEMA FLOOD MAP SERVICE CENTER.



EXISTING LEGEND

—	UNDERGROUND ELECTRIC	○	FOUND MONUMENT	○	CATCH BASIN
—	UNDERGROUND CABLE TV	○	SET 1/2" IRON PIPE MARKED PLS NO. 25718	○	STORM DRAIN
—	UNDERGROUND FIBER OPTIC	○	CABLE TV PEDESTAL	○	FLARED END SECTION
—	UNDERGROUND TELEPHONE	○	ELECTRIC MANHOLE	○	STORM MANHOLE
—	OVERHEAD UTILITY	○	ELECTRIC METER	○	FIRE DEPT. CONNECTION
—	UNDERGROUND GAS	○	ELECTRIC PEDESTAL	○	HYDRANT
—	SANITARY SEWER	○	ELECTRIC TRANSFORMER	○	CURB STOP
—	STORM SEWER	○	LIGHT POLE	○	WATER VALVE
—	WATERMAIN	○	GUY WIRE	○	BOLLARD
—	FENCE	○	POWER POLE	○	TRAFFIC SIGN
—	CURB [TYPICAL]	○	GAS METER	○	UNUSUAL MANHOLE
—	CONTOURS	○	TELEPHONE MANHOLE	○	SPOT ELEVATION
○	TELEPHONE PEDESTAL	○	CONIFEROUS TREE	○	TRAFFIC SIGNAL
○	SANITARY CLEANOUT	○	DECIDUOUS TREE		
○	SANITARY MANHOLE				

PROPOSED LEGEND

—	PROPERTY LINE/RIGHT OF WAY LINE
---	PROPOSED DRAINAGE EASEMENT
---	PROPOSED WETLAND BUFFER
---	GRADE BREAK
XXX	CONTOUR ELEVATIONS
---	STORM DRAIN
x XX.XX	SPOT ELEVATIONS: TC = TOP OF CURB G = GUTTER

- GENERAL GRADING NOTES**
- PRIOR TO INSTALLATION OF STORM OR SANITARY SEWER, THE CONTRACTOR SHALL EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND THE ENGINEER OF ANY CONFLICTS PRIOR TO CONSTRUCTION. THE ENGINEER WILL BE HELD HARMLESS IN THE EVENT THE ENGINEER IS NOT NOTICED OF DESIGN CONFLICTS.
 - ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND 4" OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL APPROVED BY THE OWNER. AS NEEDED, THE AREA SHALL THEN BE SEED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS (SEE LANDSCAPE PLAN FOR SEED MIX AND PROPER APPLICATION RATE). ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
 - THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
 - UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS, ALL STORM DRAIN PIPE BEDDING SHALL BE INSTALLED PER DETAIL 28A. ALL STORM DRAIN PIPES ARE MEASURED FROM CENTER OF STRUCTURES AND ENDS OF FLARED END SECTIONS.
 - EXISTING AND PROPOSED SITE CONTOUR ELEVATIONS GENERATED PER IAWD 1988 DATUM.
 - THE PROPOSED INFILTRATION BASIN SHALL BE STAKED OFF AND MARKED DURING CONSTRUCTION TO PREVENT COMPACTION.
 - ALL SIGN BASE SUPPORTS SHALL BE INSTALLED PER DETAIL 716.

- SEQUENCE OF CONSTRUCTION**
- PREPARE TEMPORARY PARKING AND STORAGE AREA.
 - CONSTRUCT THE BILT FENCES ON THE SITE.
 - CLEAR AND GRUB THE SITE.
 - BEGIN GRADING THE SITE.
 - PROTECT INFILTRATION AREAS FROM COMPACTION AND CONSTRUCTION RUINOFF DURING CONSTRUCTION.
 - TEMPORARILY SEED DENuded AREAS.
 - PREPARE SITE FOR PAVING.
 - PAVE SITE AND INSTALL GRAVEL DRIVE AND YARD AREA.
 - COMPLETE GRADING AND INSTALL PERMANENT SEEDING.
 - REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES (ONLY IF SITE IS STABILIZED).

- GRADING NOTES**
- 18D MATCH EXISTING PAVEMENT ELEVATIONS
- DETAILS**
- 17E RIP-RAP PAD FOR SLOPE PROTECTION
23A GRATE WILET
71A BUFFER SIGN
73B FLARED END SECTION WITH RIP-RAP

BUFFER SUMMARY - MANAGE 2 CLASS C WETLAND

50' EXISTING BUFFER = 78,322 SF
50' PROPOSED BUFFER = 79,455 SF

29158	1/27/16	ALC	ALC	PSM	PSM
CEI PROJECT NO.	INITIAL DATE	DPOR	FM	DES	DRW

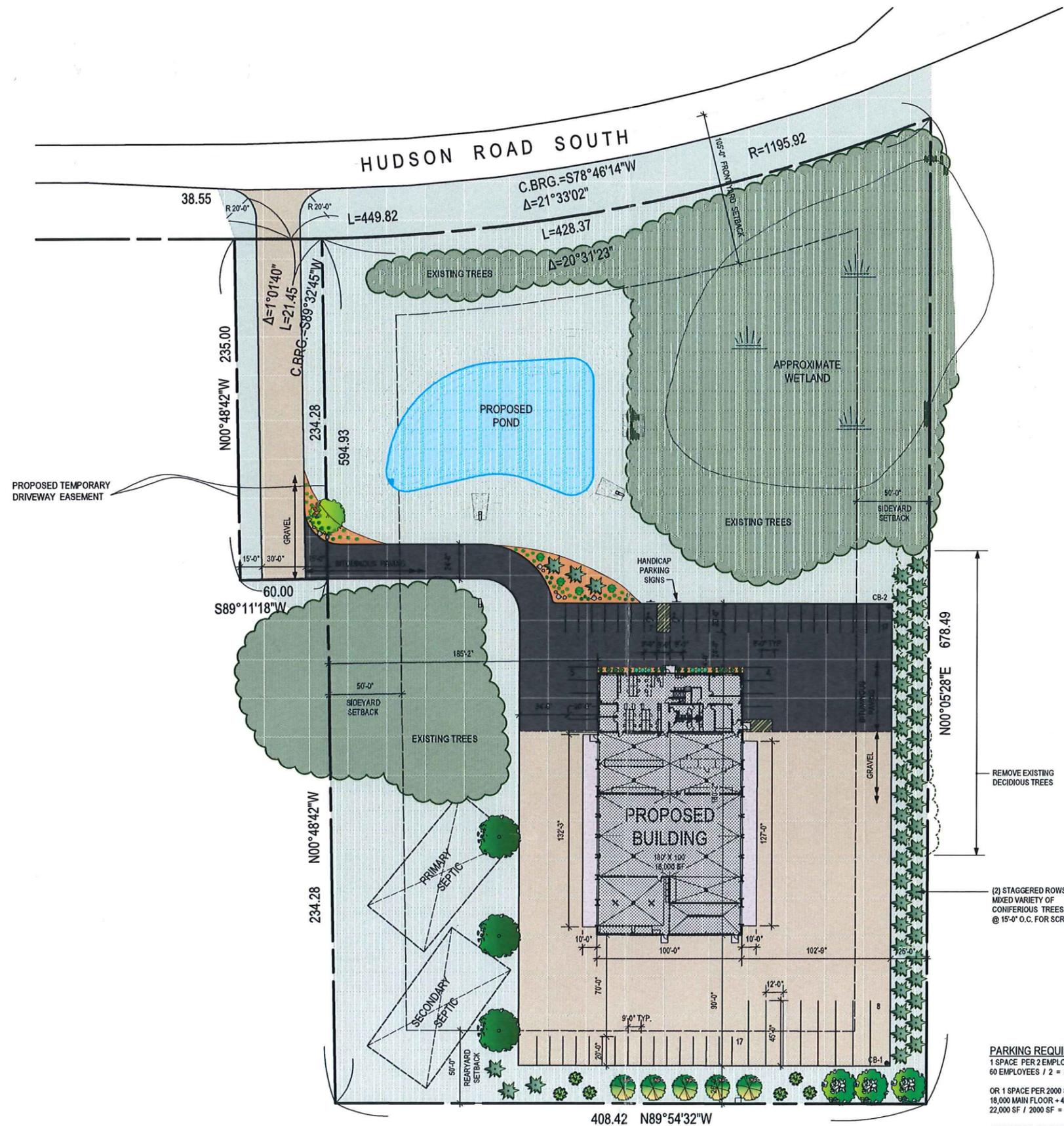
CEI Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS

2075 Centre Pointe Blvd., Suite 210 (651)452-6960
Menota Heights, MN 55120 (651)452-1149

SavATree Development
HUDSON ROAD S. AND MANNING AVE. S.
AFTON MINNESOTA

GRADING PLAN REV DATE 1/27/16 SHEET NO. REV-2 C2





1 SITE PLAN
Scale: 1" = 40'-0"

PARKING REQUIRED
1 SPACE PER 2 EMPLOYEES MAX. SHIFT
60 EMPLOYEES / 2 = 30 PARKING SPACES

OR 1 SPACE PER 2000 SF FLOOR AREA
18,000 MAIN FLOOR + 4000 SF 2ND FLOOR = 22,000 SF
22,000 SF / 2000 SF = 11 PARKING SPACES REQUIRED

PARKING PROVIDED
50 CARS
8 TRUCKS
58 TOTAL SPACES PROVIDED

Linner-Morschen Architects
10100 Morgan Avenue S.
Minneapolis, MN 55448
PHONE: (612) 84-4445



North Dakota Office
720 N. 3rd Street, Suite 225
Bismarck, ND 58101
Phone: 701.214.5893
Fax: 701.214.6483

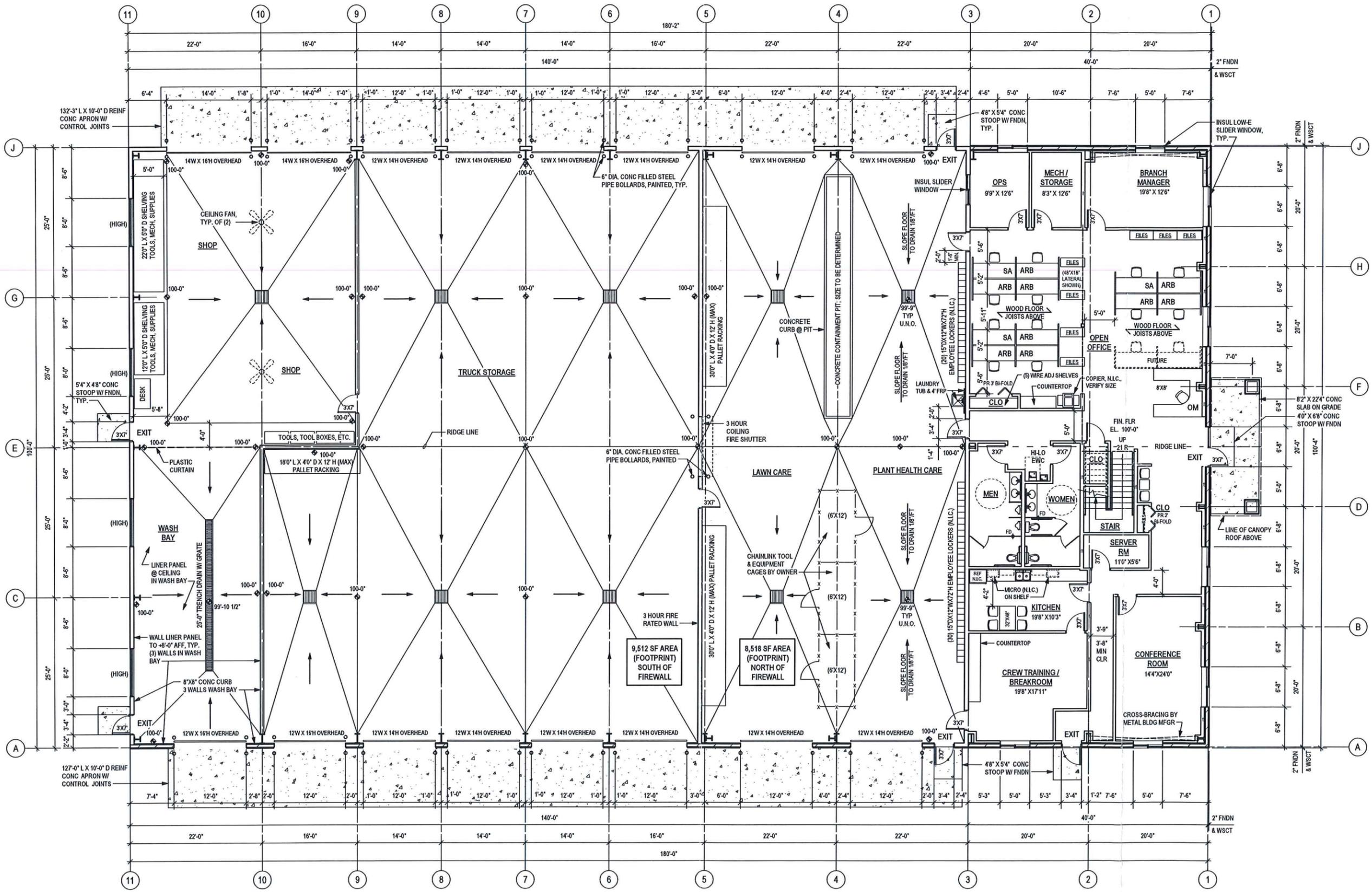
Corporate Headquarters
5045 Lake Street, Suite 300
St. Paul, MN 55120
Phone: 612.463.2327
Fax: 612.465.6191

888.742.6837 | www.greystoneconstruction.com



A New Facility for:
SavaTree
Afton, Minnesota

Revisions	
Drawn	C.A.W.
Checked	L.M.
Date	1-14-15
Job Number	1547
Sheet	P1



1 FLOOR PLAN
Scale: 1/8" = 1'-0"

Linner-Morschen Architects
10100 Morgan Avenue S.
Minnetonka, MN 55345
PHONE: (952) 844-4455



North Dakota Office
120 N. 3rd Street, Suite 225
Bismarck, ND 58102
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Concrete Headquarters
500 S. Hennepin Avenue, Suite 300
Minneapolis, MN 55415
Phone: 612.462.2277
Fax: 952.445.4191

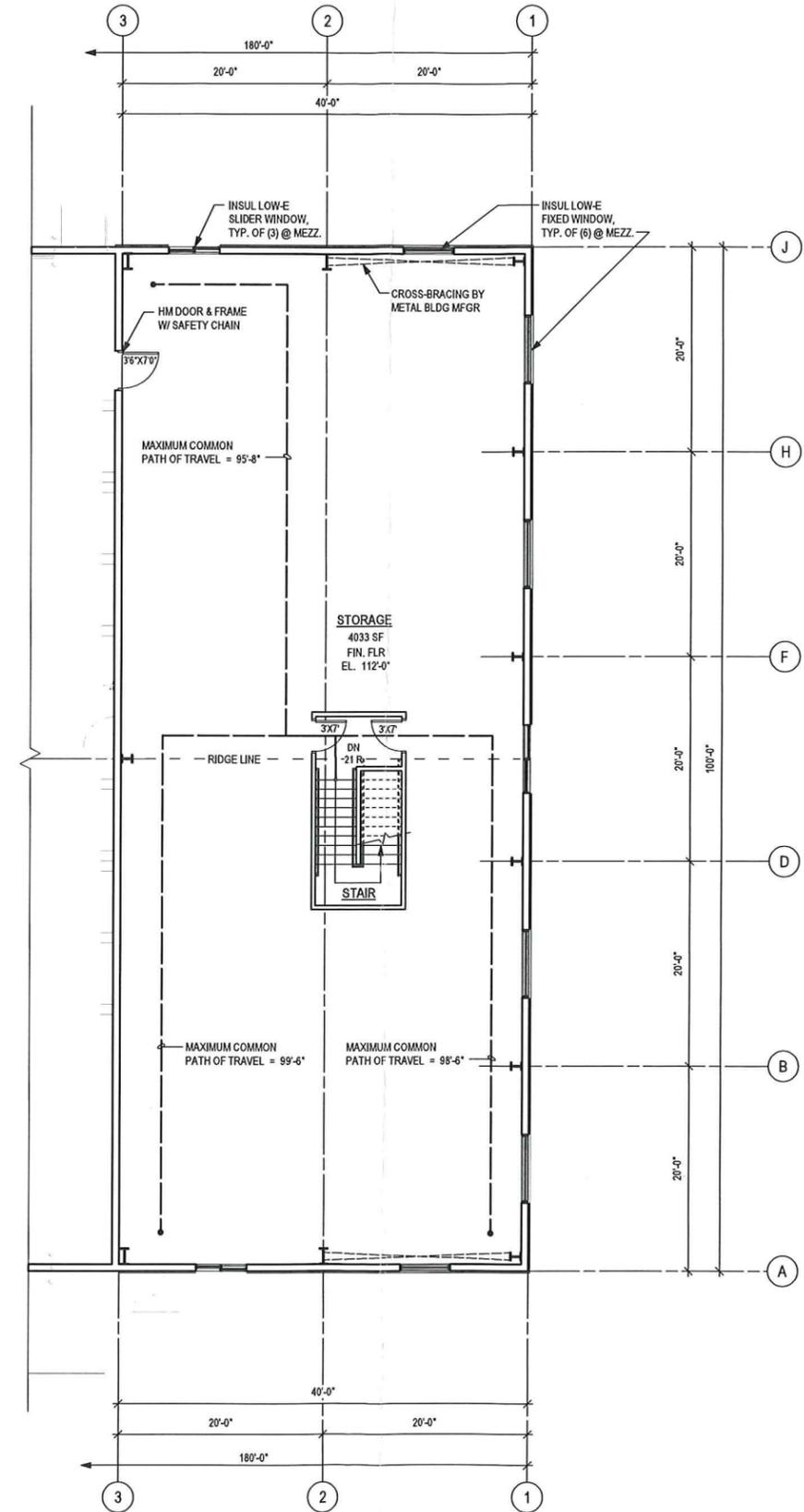
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GREYSTONE CONSTRUCTION

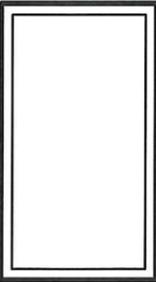
A New Facility for:

SAVATREE®
The Tree and Shrub Care Company
Afton, Minnesota

Revisions
Drawn C.A.W.
Checked L.M.
Date 2-1-16
Job Number 1547
Sheet



Linner-Morschen Architects
 10100 Megan Avenue S.
 Bloomington, MN 55431
 PHONE: (652) 884-6425



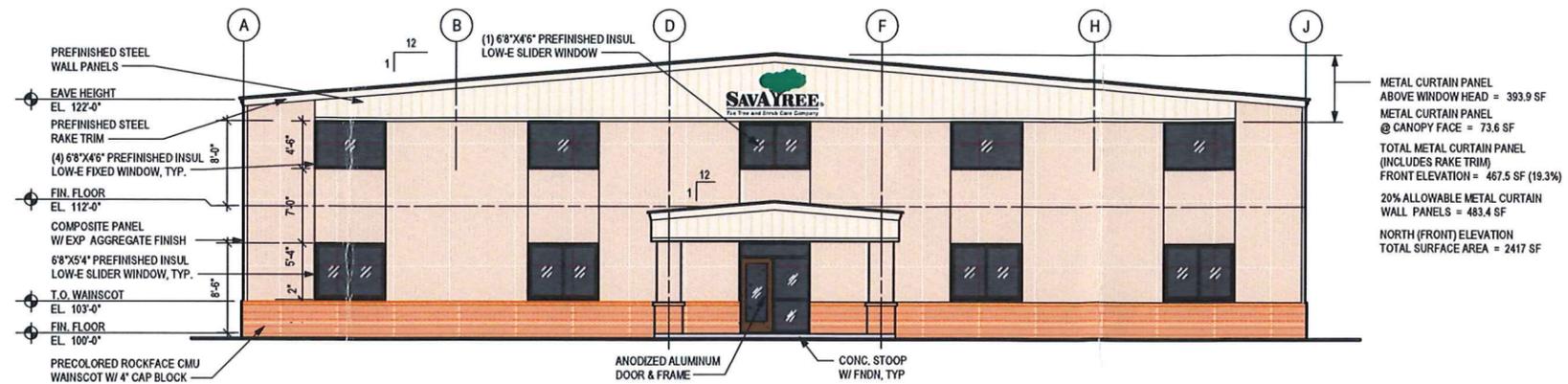
North Dakota Office
 120 N. 3rd Street, Suite 225
 Bismarck, ND 58501
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 Fax: 701.214.6403

Corporate Headquarters
 503 S. Marshall Road, Suite 300
 Shakopee, MN 55379
 Phone: 952.462.2277
 Fax: 952.465.4191
 888.742.5837 | www.greystoneconstruction.com

GREYSTONE CONSTRUCTION

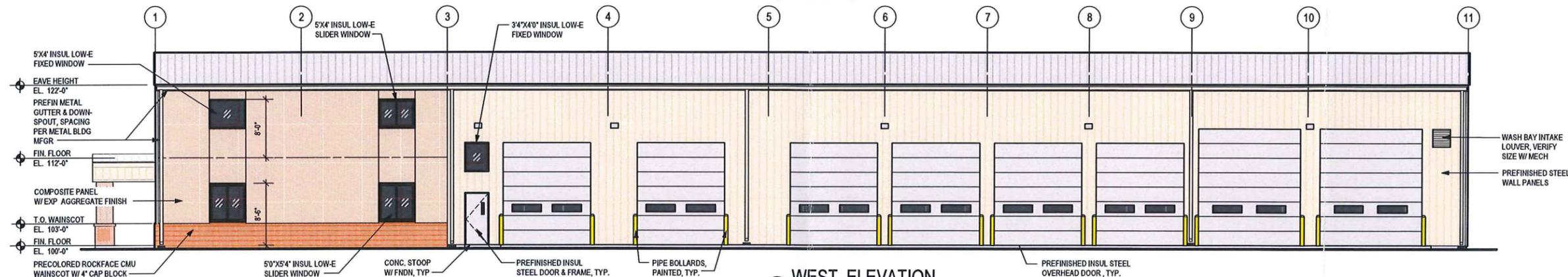
A New Facility for:
SavATree
 Afton, Minnesota

Revisions	
Drawn	C.A.W.
Checked	D.P.L.
Date	9-9-15
Job Number	1547
Sheet	P2

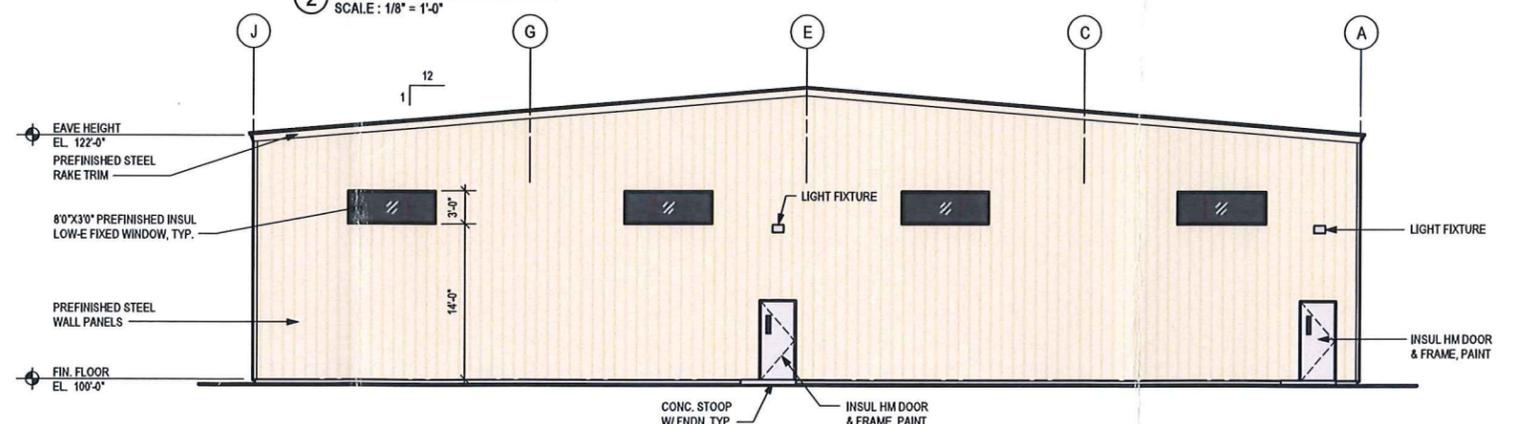


1 NORTH (FRONT) ELEVATION
SCALE: 1/8" = 1'-0"

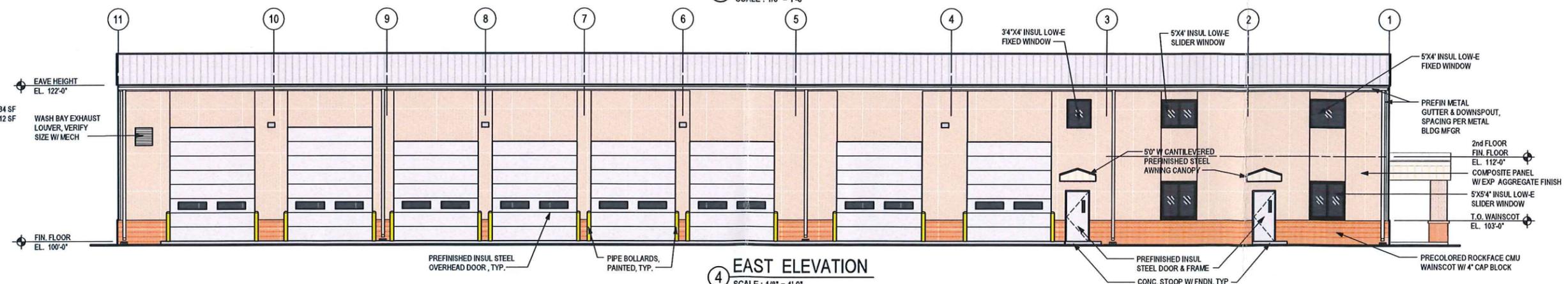
METAL CURTAIN PANEL ABOVE WINDOW HEAD = 393.9 SF
 METAL CURTAIN PANEL @ CANOPY FACE = 73.6 SF
 TOTAL METAL CURTAIN PANEL (INCLUDES RAKE TRIM) FRONT ELEVATION = 467.5 SF (19.3%)
 20% ALLOWABLE METAL CURTAIN WALL PANELS = 483.4 SF
 NORTH (FRONT) ELEVATION TOTAL SURFACE AREA = 2417 SF



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



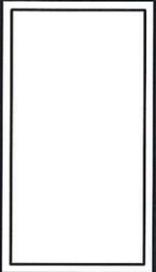
3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

METAL FASCIA PANEL = 134 SF
 (2) CANOPIES OVER SERVICE DRS = 12 SF
 TOTAL METAL PANEL @ EAST ELEV = 146 SF (5.7%)
 20% ALLOWABLE METAL CURTAIN WALL PANELS = 510.6 SF
 EAST (SIDE) ELEVATION SURFACE AREA = 2553 SF (DOES NOT INCLUDE OVERHEAD DOOR AREAS)

Linner-Morschen Architects
 10100 Morgan Avenue S.
 Bloomington, MN 55431
 Phone: (650) 346-6465



North Dakota Office
 720 N. 3rd Street, Suite 225
 Bismarck, ND 58501
 Phone: (701) 743-9893
 Fax: (701) 743-9893

Corporate Headquarters
 300 S. Municipal Road, Suite 300
 Minneapolis, MN 55427
 Phone: (612) 481-4127
 Fax: (612) 481-4197

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A New Facility for:
SAVA TREE
 Two Tree and Strub Care Company
 Afton, Minnesota

Revisions	
Drawn	C.A.W.
Checked	L.M.
Date	2-5-16
Job Number	1547
Sheet	P4





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

Planning Commission Memo

Meeting: March 7, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: March 2, 2015

Re: Sec. 12-56 E and Conflicting Language Between the Comprehensive Plan and Zoning Ordinances

Background

Commissioner Nelson has requested the Planning Commission discuss how Sec. 12-56 E calls for a more restrictive regulation of any kind to prevail over a less restrictive regulation on the same issue, and the implications that carries for Policy No. 15 in Housing and Land Use Policies of the Comprehensive Plan juxtaposed with Sec. 12-134 and its allowance of accessory commercial uses outside the VHS. Commissioner Nelson believes the "spirit" espoused by the 1982 City Council in passing Sec. 12-56 E contradicts the "spirit" of the application of the zoning ordinances that have been applied more recently. Policy No. 15 states "Commercial uses will only be in the VHS Zoning District" which is more restrictive than 12-134, which allows various accessory commercial uses outside the VHS. In these cases the more liberal 12-134 is prevailing over the more restrictive Comprehensive Plan policy. In Commissioner Nelson's view, this is a problem that needs to be addressed.

Outline of Ordinance and Comprehensive Plan Language

The following is an outline of the ordinance and Comprehensive Plan language referenced by Commissioner Nelson.

Sec. 12-56 E. Conditions. Where the conditions imposed by any provision of this article are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution or regulation of any kind, the regulations which are most restrictive or which impose higher standards or requirements shall prevail.

Commercial uses allowed in the Agricultural zone under Sec. 12-134

Sec. 12-134, which lists uses allowed in each zoning district, allows a number of commercial uses in the Agricultural zone. These include commercial riding stable, veterinary clinic, nursery-retail sale of plants, golf course, commercial training of animals, and bed and breakfast.

Comprehensive Plan Housing and Land Use Policies

- Policy No. 15
 "Commercial uses will only be in the VHS district. Retail, restaurants and other similar commercial uses are allowed as principal uses only in the VHS zoning district."

Relationship between Comprehensive Plan and Zoning Ordinances

Regarding Sec. 12-56 E and the conflict between commercial uses outside of the VHS in Sec. 12-134 vs. Policy 15 in the Comprehensive Plan, the general rule is that land use ordinances need to be

consistent with the Comprehensive Plan. Even without Sec. 12-56 E, Sec. 12-134 needs to be consistent with the language in the Comprehensive Plan. From staff's perspective, a clarification is needed regarding whether the language in Policy 15 is meant to overrule the uses allowed in Sec. 12-134. If so, the list of uses in Sec. 12-134 would need to be brought into conformance with Policy No. 15.

Planning Commission Recommendation Requested:

There is no action required.

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

Planning Commission Memo

Meeting: March 7, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: March 1, 2015

Re: Tom and Clare Hoelderle application for an amendment to the zoning code to allow a commercial wedding venue as an accessory use with a conditional use permit in the Rural Residential zoning district on lots 20 acres or greater to enable their property at 589 Manning Avenue to be used as a commercial wedding venue

Background

Tom and Clare Hoelderle own the property at 589 Manning Avenue, located in the Rural Residential (RR) District. They would like to use the property as a commercial wedding venue. Because this use is not allowed in the RR District they have submitted an application for an ordinance amendment to allow a commercial wedding venue use in the RR District. The Hoelderles made a similar application in 2013, which was denied, based in part on concerns about the impact of allowing this use throughout the Rural Residential zoning district and questions about whether a 20 acre lot would provide for a sufficient buffer from adjacent Rural Residential properties. The description of the proposed use and operation, as well as a site plan and photos, were provided in the February 1, 2016 meeting packet.

At its February 1, 2016 meeting, the Planning Commission requested staff to determine how many parcels in the Rural Residential zone would meet the criteria of the 20 acre parcel size and having frontage on a County or State Highway. Staff determined there are 24 parcels, including the Hoelderle parcel, in the Rural Residential zone that meet these criteria. The attached map shows the locations of these parcels. Staff also estimated that there are approximately 45 parcels in the Agricultural zone that meet these criteria.

Zoning Code Amendment

The specific language of the zoning code amendment as proposed by the applicant is attached as ordinance 05-2016. The language of the zoning code amendment reflects generally how the Hoelderles would plan to operate the wedding venue use.

Conformance with the Comprehensive Plan

Part of the review of the zoning code amendment application is to consider whether the amendment is in conformance with the Comprehensive Plan. If the code amendment is not in conformance with the Comprehensive Plan, the Comprehensive Plan would need to be amended in accordance with the zoning code amendment.

Conditions/Performance Standards

The proposed language of the ordinance amendment includes a number of conditions or performance standards reflecting the manner in which the applicants are proposing to operate the wedding venue use. At the February 1, 2016 Planning Commission meeting, the need for additional performance standards, such as frequency of

events, screening, and noise limitations was discussed. Additional performance standards for the Planning Commission's consideration are attached.

Planning Commission Recommendation Requested:

Motion regarding the application by Tom and Clare Hoelderle for an amendment to the zoning code to allow a commercial wedding venue as an accessory use with a conditional use permit in the Rural Residential zoning district on lots 20 acres or greater to enable their property at 589 Manning Avenue to be used as a commercial wedding venue.

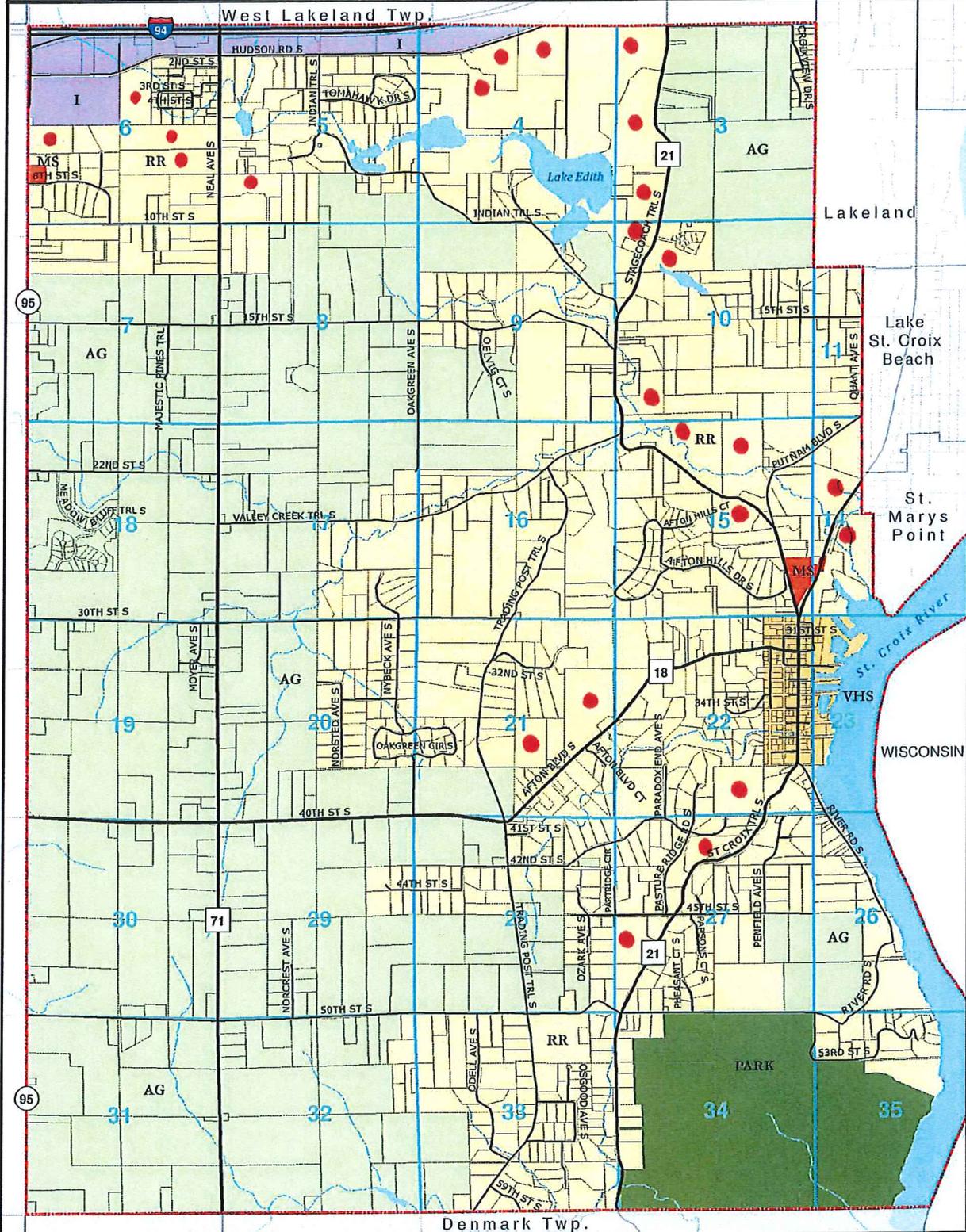
Additional Performance Standards for Commercial Wedding Venue Use

- Ceremony facilities must comply with all rules and regulations of federal, state, county, and local agencies.
- The applicant shall provide information in the application for the permit, and as requested by the City for permit review, regarding the activities provided by the facility. Information shall include the following:
 - the number of attendees per ceremony,
 - The number of ceremonies and receptions per year
 - The number of employees
 - The hours of operation
 - Parking facilities
 - sanitary facilities
 - lighting
 - sound amplification
 - temporary structures/tents
 - Signage
 - Screening
- Off-street parking shall be required based on the maximum number of attendees planned. The off-street parking area and the number of parking spaces shall be shown on the Site Plan.
- All existing structures to be used for the wedding venue use shall be inspected by the City's Building Inspector and must meet applicable requirements
- Traffic. A Transportation Management Plan shall be submitted to the zoning administrator at the time of application. This plan shall address traffic control, including traffic movement to the public street system and impact on the surrounding roadways.
- Grading. If any grading is proposed, a Grading, Drainage and Erosion Control Plan shall be submitted. The standards of the Watershed Management Organization or Watershed District must be met.
- Landscaping/Screening. Landscaping may be required to be installed to buffer the use from adjacent land uses and to provide screening. A Landscape Plan shall be submitted at the time of application for a Conditional Use Permit, if required by the Zoning Administrator.
- Minimum setbacks from neighboring houses and property lines for the various activities related to the wedding venue.
- Sanitary facilities. Sanitary facilities adequate for the number of attendees shall be provided. Portable toilets may be approved for temporary use. Portable toilets must be screened from view from roads and neighboring properties by landscaping or wooden enclosures.
- Lighting shall be limited, low, downcast and shielded so that the source of the light is not visible from roads or neighboring properties
- temporary structures/tents may be allowed
- signage must meet the requirements of the signage section of the zoning code
- As deemed necessary, the City Council may restrict the operation of the facility.

- The applicant shall provide a site plan showing existing and proposed structures with the maximum capacity of each building where customers have access.
- All solid waste must be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions and must be removed at least once every seven days by a licensed Solid Waste Hauler. Burning of solid waste is strictly prohibited.
- The grounds and all structures shall be maintained in a clean and safe manner.

Future Land Use

MAP 9



Future Land Use		State Park	Section Lines	Streams	0	0.5	1	Miles	↑
Agriculture	Marina Services	Major Road	Local Road	Lakes & Rivers					
Industrial	City of Afton	Parcel Boundaries							
Village Historic Site	Parcel Boundaries								
Rural Residential									

Parcels w/ 20 acres on County or State Road

Map prepared October 2010 1000 Friends of Minnesota TRC
 Data Sources: City of Afton, Metropolitan Council, MN DNR, MN DOT, & Washington County

COMMUNITY GROWTH INSTITUTE

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

**DRAFT City Council Regular Meeting Minutes
February 16, 2016
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 Bend.

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

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

ALSO PRESENT: City Attorney Fritz Knaak, City Engineer Todd Hubmer, Planning Commission Chair Barbara Ronningen, City Administrator Ron Moore and Deputy Clerk Kim Swanson Linner. City Accountant, Tom Niedzwiecki, joined the meeting in progress.

4. **APPROVAL OF AGENDA** –

A. Agenda for the Regular City Council Meeting of February 16, 2016 – Item 9C6, Appoint Annie Perkins to NRG, was moved up to Item 7F. Item 9C4, Liquor License ordinance amendment, was moved up to 9C1; Item 9C10, Liquor License Application for BJS Restaurants, was moved up to 9C2; Item 9C11, Nature’s Trees Exterior Building Design was moved up to Item 9C3; the remainder of the agenda items were moved down accordingly. Item 9C16, Blondo Consulting proposal for 106 Process Additional Services, was added.

Motion/Second: Richter/Palmquist. To approve the agenda of the February 16, 2016 Regular City Council Meeting as amended. Motion carried 4-0-0.

5. **APPROVAL OF MINUTES** -

A. Minutes of the January 19, 2016 Regular City Council Meeting Minutes –

Motion/Second: Richter/Bend. To approve the minutes of the January 19, 2016 Regular City Council meeting as presented.

Council Member Palmquist requested several changes to text and additions of comments made by council members. He provided his revisions to the City Administrator and to Council Members. Changes were accepted by the Deputy Clerk and the motion makers.

The motion was adjusted to include the changes suggested and to approve the minutes as amended. Motion carried 4-0-0.

6. **PUBLIC INPUT** –

Dan Jarvis, Afton House Inn, spoke of the Liquor License 50% food to liquor ratio that Council will consider tonight and commented that cities are going away from that food to liquor ratio.

7. **REPORTS/PRESENTATIONS** -

A. Sheriff’s Monthly Report – No Deputy in attendance.

B. Jim Bougie, Finance Committee Report – Not in attendance; no report.

C. Tom Niedzwiecki, Budget Report – [This item will “float” until Mr. Niedzwiecki arrives from another meeting.]

- 54 **D. Lower St. Croix Fire District Report** – no report.
55 **E. Matt Moore, South Washington Watershed District (SWWD)** – introduced Manager Mike Madigan
56 from Woodbury and gave the SWWD Annual Report to Council on the continued work on the overflow
57 project taking water from the northern portion of the watershed to the river at Cottage Grove; they
58 continue their work on Trout Brook. Goals for 2016 were reported as completing Phases 3 & 4 of the
59 overflow project with Washington County and restoring the backwaters of the river by Grey Cloud
60 Island Township. He noted that the SWWD has one opening on the Board of Managers; names of
61 applicants should be submitted the Washington County Commissioners by May 1, 2016.
62 **F. Annie Perkins Application to Serve on the Natural Resources and Groundwater Committee** –
63 Administrator Moose reported that Annie Perkins has applied to serve on the Natural Resources and
64 Groundwater Committee. The Committee is authorized to have nine members. The Committee currently
65 has eight members. Mayor Bend asked if Perkins wished to introduce herself. She briefly spoke about
66 her passion to preserve the natural environment and water quality, which meets with her work as a
67 Sustainability Analyst at Andersen Windows.

68
69 **Motion/Second: Bend/Richter. To appoint Annie Perkins to the Natural Resources and Groundwater**
70 **Committee. Motion carried 4-0-0.**

71
72 **8. CONSENT AGENDA –**

- 73 **A. Just and Correct Claims**
74 **B. There is NO 4M Transfer Resolution this month, as next month's will be JANUARY & FEBRUARY.**
75 **C. Reappoint Jim Cox to the Heritage Preservation Commission – Term expires 2/15/2019**

76
77 **Motion/Second: Palmquist/Ross. To approve the Consent Agenda as presented, noting that it included the**
78 **Jim Cox reappointment to the HPC. Motion carried 4-0-0.**

79
80 **9. CITY COUNCIL BUSINESS -**

81 **A. Planning Commission Report** – Chair Barbara Ronningen reported for the Planning Commission:

82 1. Variance Application at 1987 Manning Avenue for Danielle and Charlie Wamstad (Traditional
83 Ventures LLC) – Resolution 2016-11 – Administrator Moose summarized the application for variances to the
84 Danielle and Charlie Wamstad (Traditional Ventures LLC) driveway access standards to replace a driveway
85 access to Manning Avenue which will be eliminated as part of a Minnesota Department of Transportation
86 (Mn/DOT) improvement project at the Valley Creek Road intersection. The driveway is proposed to have access
87 through an easement on the adjacent southern parcel onto 22nd Street S. The second variance is needed, as the
88 driveway is in the Ag zone but is proposed to be separated from adjacent driveway on the same side of the street
89 by 55 feet, instead of the required 300 feet.

90
91 The Minnesota Department of Transportation (MN/DOT) is planning an intersection improvement to add a left
92 turn lane from northbound Manning to westbound Valley Creek Road. The improvement will include a
93 stormwater pond on the east side of Manning. To enable this improvement, Mn/DOT is acquiring additional
94 right-of-way on the east side of Manning. This acquisition will include land on which the Wamstad's driveway
95 is currently located. For safety reasons, Mn/DOT does not want the driveway to continue to access Manning
96 Avenue. To provide an alternate and safer location for the driveway, the Wamstads are requesting a variance to
97 enable the only access to the property to be through a driveway on an easement through the parcel to the south
98 to access 22nd Avenue. Because the driveway serves slow-moving agricultural equipment in addition to
99 residential traffic, the access onto 22nd Avenue is preferred from a safety standpoint.

100
101 The driveway is proposed to be located on the eastern portion of the Wamstad property, which would place it 55
102 feet from the existing driveway on the property to the east. The ordinance requires a minimum separation of
103 300 feet between driveways. The proposed location was selected because there are currently utilities in the area
104 of the driveway that make it unproductive for cropland and there is currently a driveway easement along the
105 eastern boundary of the property. Also, if the driveway was located 300 feet from the neighboring driveway, it

would be running through the middle of a current productive crop field. In addition, locating the driveway 300 feet from the neighboring driveway would place it less than the required 100 feet away from the intersection of 22nd Avenue and Meadow Bluff Trail.

A portion of the proposed driveway would cross an area recently approved to be regraded to create a grassy waterway. The resolution approving the grassy waterway required that, if a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed and approved by the City Engineer. A permit for the driveway is currently being processed through the Valley Branch Watershed District (VBWD). Attached is correspondence and permitting information from the VBWD. The VBWD is supportive of the permit application, but does not want to move forward with an approval until the City makes a determination regarding the variance application.

Planning Commission Recommendation:

The Planning Commission, on a vote of 9-0-0, recommended approval of the variance application with the following findings and conditions.

Findings

1. The property is unique and has exceptional conditions due to the Minnesota Department of Transportation (MN/DOT) intersection improvement project at Manning and Valley Creek Road.
2. Granting the variance will not confer special privileges on the applicant.
3. The minimum variance is being granted.
4. The variance request is the best alternative for a solution to the problem access and intersection on Manning Avenue at Valley Creek Road.

Conditions

1. The Valley Branch Watershed District shall approve a permit for the driveway over the grassed waterway.
2. The City Engineer shall review and approve the plans for the driveway.
3. The driveway shall be constructed and maintained according to the approved plans and permit.
4. The City shall obtain a letter from Mn/DOT stating that this alternative is the best solution for this property in alleviating the dangerous access situation that they are remedying on Manning Avenue at Valley Creek Road.

Resolutions

Attached are an approval resolution reflecting the Planning Commission's recommendation as well as a denial resolution for the Council's consideration.

Letter from Mn/DOT

Attached is a letter from John Forsythe of MnDOT regarding the planned improvement project and the safety advantages of moving the driveway off of Manning Avenue.

COUNCIL ACTION REQUESTED:

Motion/Second: Palmquist/Ross. To approve Resolution 2016-11 for the Danielle and Charlie Wamstad (Traditional Ventures LLC) request for variances at 1987 Manning Avenue, to enable a driveway to be constructed on the eastern portion of the parcel they own to the south of 1987 Manning, and to have the driveway be located approximately 55 feet from the driveway on the property to the east, instead of the 300 foot separation as required in the Agriculture zoning district. ROLL CALL: Aye-Ross, Palmquist, Bend; Nay-Richter. Motion carried 3-1-0 (Richter).

2. Washington County's Updated Subsurface Sewage Treatment System (SSTS) Ordinance –

157 Washington County adopted an updated Subsurface Sewage Treatment System (SSTS) ordinance in April of
158 2015. When the County adopts an updated SSTS ordinance, the City has one year to adopt the new ordinance,
159 adopt its own ordinance, or default to the County's ordinance. The City commonly adopts the County's
160 ordinance by reference. Because the full updated SSTS ordinance is 98 pages, the full ordinance is available on
161 the website under "Planning Commission", then "Reference Materials", rather than being provided as a
162 hardcopy. Attached is a memo from Jeff Travis of Washington County Public Health outlining the significant
163 changes to the ordinance. Also attached is the updated ordinance language regarding the land spreading of
164 septage.

166 The allowance of the land spreading of septage is a significant revision to the SSTS ordinance. The land
167 spreading of septage is allowed to occur using three methods: surface application with incorporation within six
168 hours, pre-treatment with lime prior to surface application, and injection directly into the soil. The ordinance
169 also provides that no permits for land application of septage will be approved by Washington County without
170 approval by the City.

172 Ordinance Language Inconsistency

173 The Planning Commission, in its review of the updated septic ordinance, noticed an inconsistency between the 6
174 hour septage incorporation timeline and the 48 hour timeline in Table XII. Attached is an email from Girard
175 Goder of Washington County addressing the inconsistency. His email indicates these are not conflicting
176 timelines, in that the 6 hour timeline is for septage that has not been treated with lime. The 48 hours is for
177 septage that has been treated with lime. Because this table has created some confusion, it will be replaced
178 during the next ordinance revision (likely not for at least a few years).

180 Planning Commission recommendation:

181 The Planning Commission, on a vote of 9-0-0, recommended adoption of the updated Washington County
182 SSTS ordinance by reference.

184 **Motion/Second: Richter/Bend. To adopt the updated Washington County Subsurface Sewage Treatment
185 System (SSTS) Ordinance #196, as part of the Afton City Code by reference. ROLL CALL: Aye-Richter,
186 Ross, Bend; Nay-Palmquist. Motion carried 3-1-0 (Palmquist).**

188 **B. Engineering Report** – City Engineer Todd Hubmer was in attendance.

189 1. 33rd Street Design and Easement – Administrator Moorse summarized that the engineers have
190 been working on revisions to 33rd Street layout and the relation to the proposed easement from the south
191 property. The cost to prepare the easement documentation is estimated at \$3,800.00

193 **Motion/Second: Palmquist/Bend. To authorize WSB and Associates to prepare easement documentation
194 from the south property owner on 33rd Street S, in the amount of \$3,800.00. Motion carried 4-0-0.**

196 2. Order the Project, Approve Plans and Specifications and Authorize Advertisement for Bids for
197 the Downtown Village Improvement Project – Administrator Moorse indicated this bid package includes the
198 remainder of the Downtown Projects: stormwater, ponds, levee, etc.

200 **Motion/Second: Palmquist/Ross. To authorize Ordering the Project, Approving Plans and Specifications
201 and Authorizing Advertisement for Bids for the Downtown Village Improvement Project per Resolution
202 2016-12. ROLL CALL: All Ayes. Motion carried 4-0-0.**

204 3. Levee Approval – Permitted Aesthetic Items – Engineer Hubmer reported that this action is to
205 include "placeholders" of aesthetic items such as benches, lighting and marina signing, should they be added to
206 the project, as USACE approval process requires the submittal to include all items that "may" be installed, even
207 if they are never installed.

208

209 **Motion/Second: Bend/Palmquist. To authorize engineers to include “placeholders” of aesthetic items such**
210 **as benches, lighting and marina signing, should the City determine they will be added to the levee project,**
211 **as the USACE approval process requires the submittal to include all items that might be in the project.**
212 **Motion carried 4-0-0.**

213
214 4. Approve Agreement with American Engineering Testing, Inc. for inspection and testing
215 services for the construction of Levee improvements as part of the Downtown Village Improvement Project –
216 Engineer Hubmer explained that American Engineering Testing, Inc. is uniquely qualified to perform the
217 construction inspection services as they designed the levee portion of the project and prepared the geotechnical
218 evaluation report, in order to ensure construction conforms to the plans and specifications.

219
220 **Motion/Second: Palmquist/Richter. To approve the agreement authorizing American Engineering**
221 **Testing, Inc. to perform inspection and testing services for the construction of the levee improvements in**
222 **the Downtown Village Improvement Project, in an amount not to exceed \$23,655. Motion carried 4-0-0.**
223

224 5. Approve Agreement with American Engineering Testing, Inc. for geotechnical services to
225 repair the Pennington Avenue Slope Failure – Hubmer reported that the east roadway embankment along
226 Pennington Avenue is experiencing slope failure. Approximately 50 to 100 foot section of embankment that
227 supports Pennington Avenue has experienced sloughing of the exposed slope face. The services of a
228 professional geotechnical engineering firm are required to prepare a mitigation plan to stabilize the slope
229 movements.

230
231 **Motion/Second: Bend/Ross. To approve the agreement with American Engineering Testing, Inc.**
232 **authorizing the preparation of a geotechnical report in the amount not to exceed \$5,000. Motion carried**
233 **4-0-0.**
234

235 **C. Administration –**

236 1. Ordinance Amendment - Number of On-Sale Liquor Licenses - Ordinance 02-2016 – Mayor Bend
237 opened the Public Hearing at 8:31 p.m.

238
239 Administrator Moose explained that at the January 19 meeting, Council discussed an ordinance amendment to
240 clarify the number of on-sale liquor licenses that should be available in the city. State Statute allows up to five
241 on-sale liquor licenses for a city of Afton’s size. The Council generally agreed that five licenses should be
242 allowed, but discussed the desire that the licenses be available for restaurants rather than establishments that are
243 less focused on dining and more focused on liquor. Council discussed including requirements related to the
244 percentage of revenues from food sales vs. from liquor sales and directed staff to research ordinances of other
245 cities regarding these types of regulations, and also directed staff to contact the current on-sale liquor license
246 holders in the city regarding their percentage of revenue from food sales vs. liquor sales. Moose reported
247 contacting the Afton St. Croix Company regarding the ratio of food sales revenue vs. liquor sales revenue which
248 indicated the food sales ratio is greater than 50%, and also includes an email from Dan McElroy, Executive Vice
249 President of the Minnesota Restaurant Association, indicating cities are tending to move away from using the
250 food to alcohol sales ratio. Liquor ordinances for Woodbury, Roseville and Stillwater were reviewed: Roseville
251 includes strict requirements regarding allowing on-sale liquor licenses only for hotels and restaurants, with a
252 restaurant needing to have a minimum of 100 seats. The Roseville ordinance includes the food sales ratio of
253 50%. Woodbury allows on-sale licenses in a broader variety of establishments, but also requires the food sales
254 ratio of 50%. Stillwater includes a variety of establishments, but does not include a required food sales ratio.

255
256 The Council may want to consider adding a food sales ratio requirement at this time, as it would not affect the
257 one existing on-sale liquor license holder, then take some time to determine if there are better ways to regulate
258 the types of establishments that are eligible for on-sale liquor licenses.
259

260 Attached for the Council's consideration are an ordinance amendment allowing the Council to issue up to five
261 on-sale liquor licenses, and an ordinance amendment allowing up to five licenses and requiring that no on-sale
262 liquor license shall be issued to an establishment unless at least 50% of the gross food and beverage receipts of
263 the establishment are annually attributable to the sale of food.

264
265 **Motion/Second: Palmquist/Ross. To adopt Ordinance 02-2016 setting the number of on-sale liquor**
266 **licenses in Afton at five (5) and requiring a food sales to liquor sales to be at least 50%. ROLL CALL:**
267 **Ayes-Ross, Palmquist, Bend; Nay-Richter. Motion carried 3-1-0.**

268
269 2. Liquor License Application – BJS Restaurants, LLC, dba The Lumberyard Pub – Public Hearing –
270 Administrator Moose reported that BJS Restaurants, LLC is planning to open a restaurant in the former Sail
271 Away Café location at 3121 St. Croix Trail. They applied for on-sale, off-sale license, and Sunday liquor
272 licenses (considered one combination license). The Washington County Sheriff's Department has completed the
273 required background investigation on the applicant, and has indicated there was nothing found in the
274 investigation that would be a reason to deny the license. The City's liquor licensing ordinance requires that a
275 hearing be held to provide an opportunity for any person to be heard for or against the granting of the license.

276 Mayor Bend opened the Public Hearing for public comment on the liquor license at 8:31 p.m.

277 Annie Perkins, 4042 River Road, commented that she appreciated the name, harking back to the
278 Lumberyard which used to stand on the site.

279 Moose described that because the liquor license would become effective in mid-February, the Council can
280 decide to pro-rate the on-sale liquor license fee or request the full annual fee amount.

281
282 **Motion/Second: Palmquist/Richter. To approve the liquor license application by BJS Restaurants, LLC,**
283 **dba the Lumberyard Pub at 3121 St. Croix Trail, for the pro-rated Liquor License from 2-15-16 to 12-**
284 **31-16 [which is 319 days of 365 = 87% of \$1,750], in the amount of \$1,522.50. Motion carried 4-0-0.**

285
286 3. Nature's Trees, dba St. Croix SavATree, Exterior Building Design at Hudson Road Property with
287 PID# 06.028.20.24.0002 – Administrator Moose reported that at its January 19, 2016 meeting, the Council
288 approved a variance application for Nature's Trees with a number of conditions, including that the City's
289 Heritage Preservation Commission (HPC) review the exterior building design and provide a recommendation
290 for the Council's final approval. The HPC was provided with a copy of the Council's resolution with its
291 conditions regarding the exterior building design. Nature's Trees provided a revised building design to meet the
292 Council's conditions, and presented that design to the HPC on February 10. The HPC was supportive of the
293 overall design and materials and provided a number of comments and suggestions for revisions. These included
294 using a more naturalistic landscape plan with a variety of tree species, including some trees with a softer look
295 rather than the homogeneous landscape plan shown on the east side of the property. Nature's Trees indicated
296 they plan to include a mixture of species. The HPC also suggested adding some vertical interest on the front
297 building elevation. The HPC recommended approval of the building design with the suggestions they made, on
298 a vote of 4-0-0.

299
300
301 **Motion/Second: Palmquist/Bend. To approve the revised building design and landscape plan for**
302 **Nature's Trees, dba St. Croix SavATree on a parcel in the northeast corner of the Hudson Road Property**
303 **with PID# 06.028.20.24.0002. Motion carried 3-1-0 (Richter).**

304
305 4. Afton Branding Project Volunteers – Administrator Moose explained that Council Member Ross
306 had suggested the City engage in a branding project to create a clear image and expression of Afton's
307 characteristics, values and attributes that identify and differentiate Afton as a unique community. This would
308 involve working with the AABA and other stakeholders through a branding committee made up of a broad
309 range of community members. An initial step in beginning the branding process is to create an Afton Branding
310 Committee and advertise for community members to serve on the Committee.

311 Bend observed that branding by the business owners may not reflect the many more residents of Afton.

312 **Motion/Second: Palmquist/Ross. To approve creating an Afton Branding Committee and advertising for**
313 **community members to serve on the committee and to appoint Council Member Ross as the Council**
314 **Liaison to the committee. Motion carried 4-0-0.**

315
316 5. Ordinance Regulating Mount Hope Cemetery – Administrator Moose explained that Mount Hope
317 Cemetery is a historic cemetery with historic grave sites. The cemetery has not been used for new burials, with
318 the exception of burial requests for two people. The Council had directed that the cemetery be closed to new
319 burials and that it be maintained and preserved as a historic cemetery. Cemeteries owned by cities generally
320 have regulations for the maintenance and operation of the cemetery set out in an ordinance. The City does not
321 currently have a cemetery ordinance. It is recommended that the Council direct the City Attorney to draft a
322 cemetery ordinance that reflects the Council’s desire to maintain and preserve the cemetery but to not allow any
323 new burials beyond those that have previously been approved by the Council. According to information in the
324 City’s records regarding cemeteries, there are other historic cemeteries that are also owned by the City. The
325 Council may want the cemetery ordinance to be generally applicable to City-owned cemeteries.

326
327 **Motion/Second: Palmquist/Bend. To direct the City Attorney to investigate all of the City-owned**
328 **cemeteries and to draft an ordinance setting out the regulations related to City-owned cemetery**
329 **maintenance and operation to reflect the Council’s desire to maintain and preserve the cemetery but to**
330 **not allow any new burials beyond those that have previously been approved by the Council. Motion**
331 **carried 4-0-0.**

332
333 6. Jim Cox Proposal for Design of Deputies Facility – Administrator Moose summarized that as part
334 of the process of planning a garage and office facility for the Sheriff’s Deputies and for Public Works storage
335 adjacent to the City Hall, staff met with members of the City’s Design Review/Heritage Preservation Commission
336 who have design review authority for buildings in the VHS District. Based on the discussion, Jim Cox, an
337 architect and a member of the City’s Design Review/Heritage Preservation Commission, volunteered to prepare
338 a concept plan for the facility. Moose explained that the next step in the process was to prepare a design detailed
339 enough to be used for bidding. Attached is a proposal from Jim Cox to design and assist with the bidding and
340 construction of the facility. Cox’ proposed fee was submitted to the City for \$2,500 plus expenses (mileage,
341 printing) which Council reviewed and directed that, prior to approving the proposal, a letter of intent from the
342 Sheriff regarding the Deputies facility was needed. A letter of intent was prepared by the City Attorney and has
343 been signed by the Sheriff. On Friday, February 11, staff had a discussion with Jim Cox about the Deputies
344 facility. Because the cost of the facility will likely be at or above \$100,000, the City is required to use the
345 competitive bidding process. Jim Cox was not aware that a competitive bidding process was needed. Moose
346 requested he provide a more detailed design for the competitive bidding process, and will need to be involved in
347 the administration of the bidding process, including preparing bid specifications, responding to questions from
348 bidders and reviewing bids to ensure they meet specifications. These tasks will significantly increase his time and
349 costs. While his original proposal was for \$2,500, his revised proposal has a cost not-to-exceed \$4,800. He has
350 indicated that, rather than a lump-sum cost, the cost will be based on actual hours at \$85.00 per hour, with a not-
351 to-exceed amount of \$4,800.

352
353 **Motion/Second: Palmquist/Bend. To approve the proposal from Jim Cox to design and assist with the**
354 **bidding and construction of the facility to house the Deputies and provide Public Works storage, with a**
355 **fee based on actual hours at an hourly rate of \$85.00 and a total cost not to exceed \$2,500. Motion carried**
356 **4-0-0.**

357
358 **Item 7C: Tom Niedzwiecki, Financial Report – The City Accountant arrived from his other meeting and the**
359 **Council directed him to present his report at this time.**

360
361 7. High Speed Internet Access Update – Administrator Moose reported that he and Council Member
362 Ross met with Richard Gacke of CenturyLink this morning to discuss the expansion of high speed internet
363 access in Afton in the absence of the State Broadband grant. Richard Gacke had been working to determine the

364 extent of expansion that can occur with a combination of the federal Connect America Fund dollars, funding
365 from the City and funding from CenturyLink. A report will be forthcoming for Council review at the March
366 meeting.

367
368 8. New Copier Lease and Maintenance Agreement – Administrator Moose reported that the City
369 currently leases a color copier through Metro Sales, Inc. Staff has been well satisfied with the reliability of the
370 copier and the service responsiveness. The current five-year lease is set to expire. The current copier lease and
371 service agreement costs are \$410.00 per month for the copier lease and \$173.00 per month for the service
372 agreement. These were based on a much higher number of copies than are currently made. Because the number
373 of copies has been substantially reduced, the vendor has offered a reduced price for both the copier lease and the
374 service agreement. The new cost for the copier lease is proposed to be \$230 per month and \$73.00 per month for
375 the service agreement. This is a savings of \$280 per month or \$3360 per year.

376
377 **Motion/Second: Palmquist/Ross. To approve the new copier lease and service agreement with Metro**
378 **Sales. Motion carried 4-0-0.**

379
380 9. Verify Depth of Well at House on Wastewater Treatment Site Property – Administrator Moose
381 explained that the house on the wastewater treatment system site has a well for which there is no documentation
382 regarding its depth. If the depth of the well is 50 feet or less, the well will need to be abandoned/capped due to
383 setback requirements to the wastewater treatment system. If the depth is greater than 50 feet, it can remain for
384 future use. To determine the depth of the well, a well drilling contractor will need to pull the pump. If the well
385 is less than 50 feet in depth, the contractor would abandon the well. If the well is greater than 50 feet in depth,
386 the contractor would re-install the pump. Mantyla Well Drilling has provided a price quote of \$500-\$1,000 to
387 pull the pump and measure the well depth. The price is dependent on the depth of pump, age of well, material
388 condition/misc. repair, and time they need to spend. In some instances, the pump, once it is pulled, malfunctions
389 and a new pump is needed. If the well is less than 50 feet deep and needs to be abandoned/capped, the cost
390 would be \$1,500-\$1,800 depending on the depth.

391
392 **Motion/Second: Palmquist/Richter. To authorize Mantyla Well Drilling to determine the depth of the well**
393 **at the house on the Wastewater Treatment Site Property. The proposal is to pull the pump to determine**
394 **the depth of the well, and to reinstall the pump if the depth is greater than 50, or to abandon the well if**
395 **the depth is less than 50 feet, at a cost not to exceed \$1,800. Motion carried 4-0-0.**

396
397 10. Stillwater School District School Consolidation Plan – Administrator Moose reported that the City
398 was contacted by residents in opposition to the Stillwater School District's school consolidation plan. Mayor
399 Bend requested this item be placed on the Council meeting agenda to provide an opportunity for the Council to
400 comment to the School Board regarding the school consolidation plan, if the Council is interested in
401 commenting. The School Board postponed a decision on the consolidation plan at its February 11 meeting.
402 Council members felt they had no interest in the Stillwater School District school consolidation plan as it does
403 not affect Afton directly. Individuals were encouraged to comment directly to the School District if they wish to
404 do so.

405
406 11. Annual Appointments: St. Croix Partnership Team – Administrator Moose reported that at its
407 January 19, 2016 meeting the Council approved annual appointments for 2016, with the exception of an
408 appointment to the Lower St. Croix Partnership Team. The Council questioned whether this organization was
409 still active or not, and directed staff to obtain information about the status of the organization. Staff contacted
410 Jen Sorenson of the DNR for information regarding the Partnership Team. Jen indicated the Partnership Team
411 has a potentially important role, as written in their bylaws, but has not been particularly active recently. One of
412 the duties of the Partnership Team is to review local land use actions for consistency with the intent of the
413 Cooperative Management Plan, the National Wild and Scenic Rivers Act, the Wisconsin Lower St. Croix
414 Preservation Act and the Minnesota Lower St. Croix Wild and Scenic River Act. This role could potentially
415 involve the facilitation of dialogue and education regarding how preserving the quality and natural features of

416 the St Croix River could protect and enhance the property values of shoreland property over the long term.
417 Sorenson encouraged Afton to take an active role on the Partnership Team.

418 Palmquist reported that he had met with a group of managers for interests in the St. Croix River
419

420 **Motion/Second: Richter/Ross. To appoint Council Member Palmquist to the Lower St. Croix Partnership**
421 **Team and appoint Mayor Bend as the alternate, and add the appointment to the 2016 Appointments List.**
422 **Motion carried 4-0-0.**

423
424 12. Staff Payroll Processing Changes – Administrator Moose reported that the hourly office staff have
425 requested two changes related to the payroll process. One is to provide direct deposit of pay checks. The other
426 is to institute a one-pay period delay between the completion of timesheets and receiving a paycheck for those
427 hours. The City Accountant has indicated that providing direct deposit is a straightforward process that involves
428 staff members completing a direct deposit authorization form that provides their account information to set up
429 the direct deposit.

430
431 Regarding the one pay period delay for paychecks, currently the office staff receive a paycheck at the end of a
432 pay period for that pay period. To enable this, the staff need to estimate their hours for several days at the end of
433 each pay period. If the estimates are incorrect, they then need to correct their hours on the next time sheet. To
434 avoid this, they have requested that hours worked for a pay period are paid on the next pay day. This would
435 eliminate the need to estimate hours. To make this transition, the change would result in one pay period when
436 the office staff do not receive a paycheck. Both office staff members understand this and have requested this
437 change. (This two-week delay payroll processing procedure is currently used for Ken Johnson and the seasonal
438 staff).

439
440 **Motion/Second: Palmquist/Richter. To authorize direct deposit of paychecks for all staff and council**
441 **members who opt to use direct deposit and to institute a one-pay period delay in processing payroll**
442 **checks for the hourly office staff which matches the delay that other hourly employees follow for**
443 **processing payroll. Motion carried 4-0-0.**

444
445 13. Afton Historical Museum Funding Request and Agreement – Administrator Moose reported that
446 Council had previously discussed the possibility of the Afton Historical Society taking on responsibility for the
447 maintenance/preservation of Mount Hope Cemetery. Council had concerns about the status of the cemetery
448 being available for additional burials vs. being preserved as a historic pioneer cemetery. Staff has researched the
449 issue and determined the City must adopt an ordinance that sets out regulations on the use and maintenance of
450 the cemetery. President of the Afton Historical Museum and City Council Member Stan Ross prepared a draft
451 outline of an agreement and provided to the Council staff at the meeting. Ross will research costs and present it
452 for Council consideration in the spring.

453
454 **The City Attorney was directed to review and comment on the draft agreement and advise Council on the**
455 **Afton Historical Museum taking on the maintenance and preservation of Mount Hope Cemetery.**

456
457 14. City Hall Flooring & Toilet Replacement - Administrator Moose reported that staff had provided to
458 the Council a price quote for City Hall flooring and a price quote for toilet replacements. The Council approved
459 the price quote for the toilet replacements, but directed staff to obtain an additional quote for the flooring,
460 perhaps to reduce the cost. Staff obtained an additional quote from Erskine Flooring that reflects a significant
461 cost reduction. Staff recommends accepting the price quote from Erskine Flooring in the amount of \$5,098.12.
462 Moose reported that the timing of the flooring replacement has become more critical as the toilet in the
463 women's restroom is not working well. The flooring needs to be replaced before the toilet is replaced to avoid
464 having to install the toilet twice.

465
466 **Motion/Second: Richter/Palmquist. To approve the flooring replacement price quote from Erskine in the**
467 **amount of \$5,098.12, but not to exceed \$5,250. Motion carried 4-0-0.**

468 15. Blondo Consulting Expanded Scope of Services – Administrator Moose explained that Council had
469 authorized Blondo Consulting at its September 15, 2015 meeting to assist in preparing correspondence to tribal
470 governments related to the 106 Process and to complete an assessment of effects on historical buildings to assist
471 the City in completing the 106 Process. This work has been completed. However, the State Historic Preservation
472 Office (SHPO) has indicated they want a significantly greater level of investigation on a portion of the historic
473 buildings located where construction will occur directly adjacent to them. SHPO has also indicated they want
474 additional investigation of the area adjacent to the Mound where the stormwater pond is planned to be
475 constructed, and a number of tribal governments have expressed questions and concerns regarding the planned
476 construction in the area of the Mound. Blondo Consulting has been and will continue to be an important
477 resource in preparing for and participating in a site visit and consultation meeting with the tribal governments.
478 These activities are beyond the scope of services initially approved by the Council. An expanded scope of
479 services proposal was provided. Because of the importance of the timing of completing the 106 Process, staff
480 has authorized Blondo Consulting to move forward with some of the additional work prior to the Council
481 considering the expanded scope of services proposal. Staff recommended approval of the proposal at a cost not
482 to exceed \$4,000.
483

484 **Motion/Second: Palmquist/Richter. To approve the expanded scope of services proposed by Blondo**
485 **Consulting for additional work required by the State Historic Preservation Office (SHPO) to assist the**
486 **City in completing the 106 Process, at a cost not to exceed \$4,000. Motion carried 4-0-0.**
487

488 **D. Committee Reports -**

- 489 1. Public Works – has not met; reports of cars lately exiting the roadway on Stagecoach Trail may be
490 due to increased speed due to the improvement to the pavement.
- 491 2. Personnel – the committee’s restructuring of job duties and a title change for the Deputy Clerk
492 position with a proposed pay rate were turned down, [as the Deputy Clerk felt more discussion on the time
493 needed to add the job duties, an appropriate job title and pay rate needed to be completed.]
- 494 3. Parks – the grant submitted for the Town Square Restroom Building needed additional information.
- 495 4. HPC/DR – work on the local designation process continues.
- 496 5. Natural Resources and Groundwater – are working on baseline data for wells in the Village – in
497 order to show possible beneficial changes to wells after the sewer project.
- 498 6. High Speed Internet – already reported.

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

- 501 **A.** Ward 1 Council Member Palmquist – none.
- 502 **B.** Ward 2 Council Member Richter – none.
- 503 **C.** Ward 3 Council Member Ross – none.
- 504 **D.** Ward 4 Council Member Nelson – absent.
- 505 **E.** Mayor Bend – attended the Water Consortium meeting at Prescott, WI.
- 506 **F.** City Attorney Knaak – Prosecution Report on file.
- 507 **G.** City Administrator Moose – none.

508
509 **11. ADJOURN –**

510
511 **Motion/Second: Palmquist/Richter. To adjourn the meeting at 10:55 p.m. Motion carried 4-0-0.**
512

513 Respectfully submitted by:

514
515
516 _____
517 Kim Swanson Linner, Deputy Clerk
518

519 **Approved by Council (on March 15, 2016) as (check one): Presented: _____ Amended: _____**

520

521

522 **Signed by Mayor Richard Bend _____ Date _____**