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

APPROVED City Council Regular Meeting Minutes
April 18, 2017
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 Nelson, Ross, Richter, Palmquist, and Mayor Bend. **Quorum Present.**

ALSO PRESENT: Adam Josephson, MnDOT, Deputy Sheriff Tanner Van Someren, City Attorney Fritz Knaak, City Engineer Diane Hankee, Planning Commission Chair Barbara Ronningen, City Administrator Ron Moorse.

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

A. Agenda for the Regular City Council Meeting of April 18, 2017

Council Member Ross asked if request appropriate, he would like to add to the agenda an Item 9D(11) to discuss tools that the City Council can pass on to the Personnel Committee regarding incentives to hiring a City Clerk. Council Member Palmquist asked to add a 9D(12) to briefly discuss a resident's request to try to move their driveway (part of the Downtown Project). Mayor Bend suggested moving 9B(1)a, as item needs to be addressed prior to considering the Junker subdivision.

Motion/Second: Palmquist/Ross. To Approve the Agenda of the April 18, 2017 Regular City Council Meeting as amended. Motion carried 5-0-0.

5. **APPROVAL OF MINUTES**

A. Minutes of the March 21, 2017 Regular City Council Meeting

Mayor Bend had a correction on line 121 – should indicate that he stated if MIDS conflicts with current ordinances, *the more restrictive language applies*; at end of 122 after semicolon; Afton *needs* uniformity within watersheds *and MIDS provides these controls*.

Motion/Second: Richter/Ross. To Approve the Minutes of the March 21, 2017 Regular City Council Meeting as amended. Motion carried 5-0-0.

6. **PUBLIC INPUT** – None

7. **REPORTS/PRESENTATIONS -**

A. Sheriff's Monthly Report

Deputy Tanner Van Someren in attendance; March 2017 report included 122 ICRs and 10 citations issued; one call involved a burglary report – but more of a dispute between a homeowner and ex-wife. Council Member Ross spoke to motorcycle traffic over the weekend on Afton Boulevard; high speeds and neighbors complaining; traveling south on Trading Post to 50th and onto County 21 southbound; might need extra patrols in area.

B. Tom Niedzwiecki, Budget Report

City Treasurer Tom Niedzwiecki reported for month of March 2017 significant revenue of \$10,422 due to Building Permit Fees; because of transitions in City Hall Staff, he has increased communication; starting to see more invoices related to Downtown Project; coordinating with Mike Pofahl audit that should be ready for review next month; refunding of Downtown Temporary Improvement Bonds will be reflected in next

54 month's Financials. Council Member Ross asked about Finance Committee and WSB meeting; suggested
55 getting one scheduled.

56 **C. Lower St. Croix Fire District Report**

57 Council Member Nelson indicated they are moving forward with the hiring process for full-time Fire Chief;
58 received two applications.

59

60 **8. CONSENT AGENDA**

61 The Date for Annual Tire and Metal Recycling Day is May 20, 2017; will be publicized via website and
62 newsletter.

63 **Motion/Second: Richter/Ross. To approve the Consent Agenda as presented, including Resolution
64 2017-23, a Resolution approving 4M Fund transfers for March 2017.**

65 **ROLL CALL: All Ayes. Resolution adopted 5-0-0.**

66 **A. Just and Correct Claims**

67 **B. 4M Fund Transfer – March – Resolution 2017-23**

68 **C. Date for Annual Tire and Metal Recycling Day**

69 **D. Excess Liability Insurance Coverage**

70

71 **9. CITY COUNCIL BUSINESS**

72 **A. Public Hearings –**

73 1. Municipal Consent Request for Safety Improvement Project 8208-38 on Highway 95/Manning Avenue –
74 Resolution 2017-24.

75 **Public Hearing opened at 7:14 p.m.**

76 Adam Josephson, MnDOT, provided PowerPoint presentation copies for review of a safety improvement
77 project for Highway 95/Manning Avenue from County Road 18 / Bailey Road to 70th Street in 2018; project
78 includes installation of turn lanes at major intersections, widening of shoulders from 2' to 8' and paving
79 them, and milling and overlaying roadway; planning process includes public hearing and municipal consent
80 process to obtain input from public and approval from City.

81 **Motion/Second: Richter/Palmquist. To Close Public Hearing at 7:32 p.m.**

82 Council Member Palmquist asked about rumble strips and if mix/match planned. Josephson indicated they
83 want to be consistent. Council Member Richter referred to page 8, photo of 50th intersection; questioned site
84 lines going left and visibility. Mayor Bend curious where 15th Street intersects 95 and difficulty seeing cars
85 from either direction; asked how many acquisitions needed on Afton Side. Mr. Josephson stated portions of
86 any properties that front Manning Avenue in Afton would be acquired to provide necessary additional right-
87 of-way. Mr. Josephson was questioned about the planned timing of improvements to Hudson Road. Mr.
88 Josephson indicated a thin overlay is planned in 2017, and more substantial improvements are planned in
89 2022. Council Member Nelson suggested looking at sooner than 2022.

90 **Motion/Second: Palmquist/Bend. To Approve Resolution 2017-24, a Resolution for Layout Approval
91 for State Project 8208-38 Hwy 95 from Bailey Road / CSAH 18 to 70th Street / CSAH 22.**

92 **ROLL CALL: All Ayes. Resolution adopted 5-0-0. [Corrected Resolution included in Supplemental
93 Packet]**

94

95 **B. Planning Commission Report – (PC Chair Report & Draft PC Minutes)**

96 1. Merv Junker and Kelly Naugle Application for Minor Subdivision for a Lot Line rearrangement at 1171
97 Manning and the Parcel with PID# 07.028.20.21.0002 - Resolution 2017-25

98 a. Transfer Ownership of City-Owned Right-of-Way Lane Adjacent to 1171 Manning Avenue –
99 Resolution 2017-26

100 Administrator Moose provided background of the undeveloped parcel with PID# 07.028020.21.0002
101 and the owner of 1171 Manning Avenue proposing to rearrange the lot line between the two parcels to
102 enable 7.4 acres to be subdivided from the undeveloped parcel and added to 1171 Manning Avenue;
103 proposal does not involve creation of additional lot; City-owned L-shaped right-of-way lane is barrier to

104 combining the 7.4 acres from the undeveloped parcel with the 1171 Manning parcel; consideration of a
105 resolution approving the transfer of ownership of the north/south portion of the right-of-way and
106 resolution reflecting the PC recommendation of approval of the proposed minor subdivision and a
107 resolution of denial.

108 **Motion/Second/Amended: Palmquist/Richter. To Approve Resolution 2017-25, a Resolution**
109 **Approving the Mervin Junker and Kelly Naugle Minor Subdivision at 1171 Manning Avenue and**
110 **the Parcel with PID#07.028.20.21.0002 and Resolution 2017-26, a Resolution Authorizing the**
111 **Transfer of Ownership of the Right-of-Way Lane Located Along the Western Boundary of the**
112 **Property at 1171 Manning Avenue. ROLL CALL: All Ayes. Resolution 2017-25 and 2017-26**
113 **adopted 5-0-0.**

- 114
115 2. Ordinance Amendment amending Chapter 12, Land Use, to delete “storage, enclosed or screened
116 principal use” from the list of allowed uses in the I1A and I1B Zoning Districts
117 Ordinance 02-2017.

118 PC discussed the ordinance amendment at their April 3, 2017 meeting with recommendation to the
119 Council, on a vote of 4-3, that the amendment NOT be approved. The recommendation was based on
120 storage-type uses being existing uses that fit the purpose of the industrial zones, and that storage uses can be
121 adequately screened with proper screening requirements and enforcement of those requirements.

122
123 **Motion/Second: Palmquist/Bend. To Approve Ordinance Amendment Eliminating “Storage**
124 **Enclosed and Screened Principal Use” from the list of Allowed Uses in the I1A and I1B Zoning**
125 **Districts. Bend called the question. ROLL CALL: 4 Ayes, 1 Nay (Richter). Resolution adopted**
126 **4-1-0.**

- 127
128 3. Broader Review of Storage Uses in the Industrial Zones- Moose outlined a number of inconsistencies in
129 language related to storage uses in the industrial zones. Nelson suggested the Washington County
130 Economic Development Director be invited to a work session to provide advice about uses that fit of the
131 City’s vision for the industrial zones.

132 **Motion/Second/Amended: Bend/Nelson. To Request that City Staff meet with Washington**
133 **County Economic Development Director to discuss existing ordinances, and on staff level consider**
134 **making recommendation for uses consistent with City desired rural appearance not requiring any**
135 **variances to the use of private septic and wells., and bring to the Council a copy of the existing**
136 **ordinance regarding uses in the industrial zones as well as staff’s thoughts about conflicting**
137 **storage use language in the code.** Council Member Palmquist proposed a friendly amendment to also
138 show things that conflict at present. The friendly amendment was accepted. Council Member Richter
139 suggested involving the PC since these are zoning issues. Mayor Bend felt they had already requested
140 that of PC. PC Chair Ronningen informed they had met with the County Economic Development
141 Director; felt eliminating storage not appropriate for industrial zone. Mayor Bend called the question.
142 **Motion passed 4-1-0 (Richter nay)**

- 143
144 4. Zoning and Land Use Planning Training
145 Administrator Moose noted Government Training Service offering discount pricing on land use
146 planning workshops for city officials, including Planning Commission members, City Council members,
147 and staff; cost \$30/person. Three PC members have indicated an interest in attending a total of 5
148 workshops for a cost of \$175.

149 **Motion/Second: Richter/Ross. To approve the cost of attendance at the Government Training**
150 **Service land use workshops by Planning Commission members and City Council members.**
151 **Motion passed 5-0-0.**

- 152
153 **C. Engineering Report – (Engineer Staff Report & Council Update)**
154 1. March Engineer’s Report

155 a. Review Bids and Award a Construction Contract for the 2017 Pavement Management Project –
156 Resolution 2017-27

157 Six bids were received for the 2017 Pavement Management Project; Public Works Committee
158 recommends approval of base bid and alternate 1 from Park Construction Company for a base bid of
159 \$2,225,894.34.

160 **Motion/Second: Richter/Ross. To approve Resolution 2017-27, a Resolution to approve Base Bid**
161 **plus Alternate No. 1 for the 2017 Pavement Management Project with Park Construction for a**
162 **total bid of \$2,225,894.34. ROLL CALL: 5 Ayes. Resolution 2017-27 adopted 5-0-0.**

163
164

165 **D. Administration –**

166 1. Sale of \$3,500,000 General Obligation Tax Abatement Bonds Series 2017B – Resolution 2017-28

167 Based on a process of identifying street improvement needs and developing and analyzing timing and
168 funding options, Doug Green, Springsted Incorporated, facilitated a bond sale of \$3.5 million of General
169 Obligation Tax Abatement Bonds [bid tabulations provided at the City Hall]; 7 bids received for \$3.5
170 million over 10 years awarded to R. W. Baird at 1.9%.

171 **Motion/Second: Ross/Palmquist. To approve Resolution 2017-28 providing for the Issuance and**
172 **Sale of \$3,500,000 General Obligation Tax Abatement Bonds, Series 27-B for Street Improvement**
173 **Needs. ROLL CALL: All Ayes. Resolution 2017-28 Adopted 5-0-0.**

174

175 2. Options for Use of Remainder of G.O. Tax Abatement Bond Proceeds

176 The low bid for the 2017 Pavement Management Project came in substantially under the estimated cost;
177 street construction cost including Alternate No. 1 and the culvert replacement costs, plus the engineering
178 costs is a total of \$2,512,730.34; two spreadsheets prepared, one showing cost summary for the bid
179 package, and the other showing the remaining *roads needing work* as identified by the Public Works
180 Committee. Work Session will be scheduled later on in agenda to discuss additional streets that could
181 be improved with the remaining bond proceeds.

182

183 3. Payment Request No. 1 for the Wastewater Treatment System

184 Administrator Moorse noted this is Payment Request No. 1 in the amount of \$25,362.63 from Ellington,
185 Inc. the contractor for the Wastewater Treatment System Project for site work related to the gravel filter
186 and the absorption bed system; Eric Blasing of Wenck Associates, the City's engineer for the project,
187 has reviewed and approved payment request.

188 **Motion/Second: Palmquist/Nelson. To approve Payment Request No. 1 for the Wastewater**
189 **Treatment System Project in the amount of \$25,362.63. Motion passed 5-0-0.**

190

191 4. Culvert Extension for Lake Edith Outlet under Indian Trail

192 The culvert under Indian Trail at the southeast corner of Lake Edith is the only outlet for the lake and
193 requiring daily maintenance by the adjacent property owner to keep the culvert from being plugged by
194 beaver activity; Public Works committee and the DNR have reviewed this situation and agreed that a
195 culvert extension specifically designed to address the problem is best solution; modifying culvert
196 already there

197 **Motion/Second: Richter/Ross. To approve the modification of the Culvert Extension for Lake**
198 **Edith Outlet under Indian Trail as depicted with one additional segment for an estimated price**
199 **cost of \$3,850. Motion passed 5-0-0. [Funds from culvert line-item of General Fund budget]**

200

201 5. Cartway Regrading and Erosion Control

202 Staff met with the City Engineer at the cartway off Afton Boulevard to determine the solution to the
203 erosion issue; City Engineer recommended regrading the roadway to eliminate the slope toward the
204 inside of the cartway; also recommended check-dams along the inside of the cartway with large
205 riprap. Tri County has provided a price quote of \$5,000 for regrading and riprapping.

206 **Motion/Second: Palmquist/Ross. To approve a cost of up to \$5,000 for regrading and riprapping**
207 **at the cartway off Afton Boulevard for erosion control. Motion passed 5-0-0.**
208

209 6. 2017 Meeting Schedule Revision – Resolution 2017-29.

210 At their November 2016 regular meetings, both the Planning Commission and City Council revised the
211 regular Planning Commission meeting schedule to address conflicts with holidays; revision did not
212 address the July 3 Planning Commission meeting that falls on Monday before July 4th; recommendation
213 was made to revise the Planning Commission meeting schedule to move the July 3 meeting to Monday,
214 July 10.

215 **Motion/Second: Bend/Richter. To Approve Resolution 2017-29, a Resolution revising the 2017**
216 **Meeting Schedule to Reschedule the July 3, 2017 Planning Commission Meeting to July 10, 2017.**
217 **ROLL CALL: All Ayes. Resolution 2017-29 Adopted 5-0-0.**
218

219 7. 2017 Pay Adjustments

220 Administrator Moore noted the pay adjustments for City staff are generally based on the level of pay
221 adjustments being provided by other cities in the metro area; majority of cities are providing pay
222 adjustments of 2.5%.

223 **Motion/Second: Palmquist/Nelson. To approve a pay adjustment of 2.5% to be provided to City**
224 **staff, including the seasonal staff, and that the pay adjustments be made effective as of March 1,**
225 **2017. Motion passed 5-0-0.**
226

227 8. Seasonal Maintenance Staff Hiring

228 Applications have been received from two candidates for seasonal maintenance positions needed for the
229 upcoming season; staff is recommending the hiring of both applicants at a pay rate of \$11/hour.

230 **Motion/Second: Nelson/Ross. To approve the hiring of William Gasperini and Greg Kleman as**
231 **seasonal maintenance workers at an hourly rate of \$11 per hour. Motion passed 5-0-0.**
232

233 9. Surveillance System for Treatment System Site

234 The contractor for the construction of the Wastewater Treatment System had considered providing one
235 or two trail/game cameras for security/surveillance of the site and their equipment but have not done so;
236 Council Member Ross has obtained a price quote for a security system that could be used both during
237 construction and during operation of the treatment system. Palmquist called question.

238 **Motion/Second: Palmquist/Nelson. To approve the installation, setup, and test of Videofied,**
239 **video verified alarm system, for a total cost of \$5,464 from Get Connected Tech of Afton,**
240 **Minnesota, and a monthly monitoring phone connection for a total cost of up to \$100 per month.**
241 **Motion passed 5-0-0.**
242

243 10. Schedule Work Sessions

244 It was discussed that the Council is scheduled to have a joint work session with the Natural Resources
245 and Groundwater Committee on Tuesday, May 2, at 5:00 p.m. In addition, a regular work session needs to
246 be scheduled to discuss a number of topics; also, a Special Council meeting should be scheduled along with
247 the work session to address road improvements or the City Clerk hiring process. The Council scheduled a
248 work session on Monday, April 24, from 5 to 7 p.m. to discuss additional street improvements, updating the
249 Council regarding the Carlson PLCD proposal on 60th Street, the Lower St. Croix Valley Fire Relief
250 Association pension benefit increase request, and the Kelles Creek septic inspection program. The Council
251 also scheduled a work session at 6:30 on Tuesday, May 2 (immediately following the joint work session
252 with the Natural Resources Committee at 5:00 p.m.), to address uses in the industrial zones and workload
253 management.
254

255 11. Hiring City Clerk

256 Council Member Ross suggested they are obviously having difficulties filling position; incentives to
257 provide the Personnel Committee more latitude; the longer it takes to get someone on board, the more it

258 seems staff is falling behind on workload items. Regarding the hiring process, there are issues of wage
259 level and market demand. Various incentives discussed [vacation / health insurance].
260

261 12. Relocate Driveway Proposal

262 Resident at 15991 Upper 34th would like their driveway relocated with access from St. Croix Trail
263 because they get blocked in from parked vehicles at Selma's. Council Member Palmquist recommends
264 the City advocate to the County to approve the moving of the driveway as long as it complies with City
265 Ordinances; the driveway access needs County approval.

266 **Motion/Second/Amended: Palmquist/Ross. To submit a letter to the to the County in support of**
267 **permitting the residents at 15991 Upper 34th to relocate their driveway with access to St. Croix Trail,**
268 **subject to the driveway meeting all City of Afton regulations. Motion passed 5-0-0.**
269

270 **E. Committee Reports**

- 271 1. Public Works - Council Member Richter noted they have covered all Public Works issues
- 272 2. Personnel - Going forward with hiring a City Clerk
- 273 3. Parks – no report
- 274 4. Heritage Preservation Commission / Design Review – no report
- 275 5. Natural Resources and Groundwater – Majority of meeting on Carlson sketch plan / goes to Planning
276 Commission

277 Discussion held on role of City Council liaisons. Mayor Bend spoke to differing opinions of City
278 Council members regarding the role of Council liaisons to volunteer commissions and committees.
279 Council member Richter indicated he believes the more engagement the better.

280 **Motion/Second: Bend/Nelson. To add a discussion of the policy regarding the role of City**
281 **Council liaisons to volunteer commissions and committees to the 3rd work session to be scheduled.**
282 **Motion passed 5-0-0.**
283

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

- 285 A. Ward 1 Council Member Palmquist - none
- 286 B. Ward 2 Council Member Richter - none
- 287 C. Ward 3 Council Member Ross - none
- 288 D. Ward 4 Council Member Nelson – none
- 289 E. Mayor Bend – attended Gateway Commission meeting; Joint Powers Agreement on agenda; situation in
290 future consideration of shuttles and grants thereof.
- 291 F. City Attorney Knaak – Holstad & Knaak PLC represented the City in a total of 12 prosecutions that
292 were followed through to conviction or alternative disposition for the month of March 2017.
- 293 G. City Administrator Moore - none

294
295 **11. ADJOURN –**

296 **Motion/Second: Bend/Richter. To adjourn the meeting at 10:18 p.m. Motion carried 5-0-0.**
297

298 Respectfully submitted by:

299
300
301 _____
302 Ronald J. Moore, City Administrator

303
304
305 **Approved by Council (May 16, 2017) as (check one): Presented: X Amended: _____**

306
307 **Mayor Richard Bend _____ Date 5/16/17**