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

**City Council Regular Meeting Minutes  
Approved June 20, 2017  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001  
7:00 P.M.**

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1. **THE MEETING WAS CALLED TO ORDER** at 7:00 P.M. by Mayor Pro Tem Stan Ross.
2. **THE PLEDGE OF ALLEGIANCE** – was recited.
3. **ROLL CALL:** Council Members Nelson, Richter, Palmquist, Ross. Absent: Mayor Bend. **Quorum Present.**  
**ALSO PRESENT:** Washington County Sheriff Deputy, Diane Hankee (City Engineer), City Administrator Ron Moore, City Attorney Fritz Knaak, and City Accountant Tom Niedzwiecki
4. **APPROVAL OF AGENDA** – [some agenda items were discussed out of sequence]
  - A. Agenda for the Regular City Council Meeting of June 20, 2017  
Mayor Pro Tem Ross recommended moving item 8b until Tom Niedzwiecki arrives.  
Add items included in supplemental packet:
    - 9C4. Resolution to advertise for bids
    - 9C9. Resolution to apply for PFA grants and authorize signing of grant agreements
    - 9C10. Laptop purchase quote

**Motion/Second: Richter/Nelson. To approve the agenda of the June 20, 2017 Regular City Council Meeting as amended. Motion carried 4-0-0.**
5. **APPROVAL OF MINUTES**
  - A. Minutes of the May 18, 2017 Regular City Council Meeting  
**Motion/Second: Palmquist / Nelson. To Approve the Minutes of the May 16, 2017 Regular City Council Meeting Minutes as Presented. Motion carried 4-0-0.**
  - B. Minutes of the May 23, 2017 City Council Work Session  
**Motion/Second: Palmquist / Nelson. To approve the Minutes of the May 23, 2017 City Council Work session. Motion carried 4-0-0.**
  - C. Minutes of the May 23, 2017 Special City Council Meeting  
Strike item
6. **PUBLIC INPUT** –

Mary McConnell, 5680 Odell Ave S. expressed concern over the Carlson PLCD development in sensitive area of Afton and noted the steep slopes and Trout Brook require diligent review. Feels buffer strips not adequate as presented in EAW. Would like to see reduced number of lots, and an independent analysis. Concerned over safety at access road.

James Rickard, 5650 Odell. Concerns over the Carlson PLCD. Feels there are numerous issues that need to be addressed. Stated he would like the City to take full value of park dedication fee in land as recommended by Parks Committee.

53 Patrick Leahy, 5680 Odell. Expressed concern over the Carlson PLCD – feels the proposed access is unsafe, due  
54 to steep slopes, poor sight lines, and increased traffic. Better access would be near lot 1. Would like feedback  
55 and analysis for west access.

56  
57 Theresa Lewandowski, 5588 Trading Post Trail. Expressed concern over the Carlson PLCD and the many  
58 variances that will be required. The HOA would have maintenance of conservation area, would like to know what  
59 safeguards there are to keep that area public and maintained. Also noted the Ordinance regarding cul-de-sacs.

60  
61 Christian Dawson, 5888 Trading Post Trail. Concerned over the Carlson PLCD and the lack of transparency and  
62 oversight, lack of trust. Feels the EAW is not complete. Noted that the homeowners in the development will not  
63 be able to live as in Afton due to restrictions. Many variances are needed.

64  
65 Nancy Turner 13296 60<sup>th</sup> St. Concerned about the Carlson PLCD. Stated she bought her property due to Afton’s  
66 commitment to agriculture in the comprehensive plan. Noted storm water runoff concerns and issues with the  
67 density.

68  
69 Kevin Slaikeu, 60<sup>th</sup> St. Expressed concern over the Carlson PLCD in regards to traffic and safety at that corner.

70  
71 Randy & Kathy Graham, 5912 Trading Post Trail. Sent in written comment regarding concerns over the Carlson  
72 PLCD including concerns over intersection location sightlines. Also would like to add portions of lot 4 to the  
73 conservation easement.

74

75 **7. REPORTS/PRESENTATIONS -**

76 **A. Sheriff’s Monthly Report**

77 1 loud exhaust written warning was issued; a citation can be issued next time

78  
79 **B. Tom Niedzwiecki, Budget Report**  
80 Provided information on the financial report and supplemental detail of expenses paid out in May. Washington  
81 County has paid a portion of their share for the Downtown project.

82  
83 **C. Lower St. Croix Fire District Report**

84 none

85

86 **8. CONSENT AGENDA**

87 **Motion/Second: Palmquist/Richter. To approve the Consent Agenda as presented, including**  
88 **Resolution 2017-33. ROLL CALL: All Ayes. Motion passed 4-0-0.**

89 **A. Just and Correct Claims**

90 **B. 4M Fund Transfer – May – Resolution 2017-33**

91

92 **9. CITY COUNCIL BUSINESS**

93 **A. Planning Commission Report –**

94 **1. Schneider Variance Application - Resolution 2017-34**

95 Administrator Moorse provided an overview of the variance application. The applicants are proposing to  
96 construct a three season porch in the location of the existing deck above the garage.

97 Council member Richter stated he is in favor of approving, but suggested the garage doors be painted  
98 during construction to reduce overall impact. Council member Palmquist agreed with the color change as  
99 the project is in the Riverway overlay district.

100 **Motion/Second: Richter/Nelson. To approve Resolution 2017-34 approving the Schneider variance**  
101 **with findings and conditions; with condition #4 “paint garage doors neutral tone” to be done during**  
102 **construction. ROLL CALL: All aye. Motion passed 4-0-0.**

103

104 **2. Will Carlson Afton Creek Preserve Sketch Plan for a Preservation and Land Conservation Development**  
105 **(PLCD) Subdivision North of 60<sup>th</sup> Street and West of Trading Post Trail.**

106 Steve Whitman (attending for Bob Kirmis, City Planner) provided an overview of the sketch plan. Intent  
107 of sketch plan is to provide feedback to the developer. Steve reviewed the purpose of PLCD developments  
108 and noted that the City can mitigate and modify all aspects of design including length of cul-de-sac,  
109 protections, management of disturbed areas, park/open space credit, lot count, and management of open  
110 space.

111 Mayor Pro Tem Ross stated that he had reports that the developer is intimidating the neighbors.

112 Council Member Richter stated that he feels like this was designed to have a parcel for the MN Land  
113 Trust. Would like to start over with the design of lots 1,2,3 & 4. Would prefer the traffic and access be  
114 moved west off of 60<sup>th</sup> for traffic safety. Also concerns over the buffers and preservation of oak stands.

115 Council Member Nelson stated he would like to tour the property. He stated that having the MN Land  
116 Trust involved is what makes this a PLCD and creates permanent conservation.

117 Council Member Richter stated he would like to work with the land trust. However the City can also hold  
118 land in perpetuity under MN law.

119 City Attorney Knaak provided the example of a city park held in trust for stated purpose. A conservation  
120 easement would also be held for purpose of original dedication.

121 Council Member Palmquist indicated he would like more clarification if a road is possible in that area if  
122 it is park land.

123 City Engineer Hankee indicated that the next step is to have the land surveyed to enable development and  
124 review of access options.

125 Joe Bush, JD Bush Homes, stated that a line-of-sight easement will be needed from Grahams at the  
126 proposed road access. The location of the road was developed as a result of NRGC meetings.

127 Mayor Pro Tem Ross stated he would like to see all of the people involved get together and work  
128 something out that all could agree to. He cannot support the proposal when all of the neighbors are upset.

129 Council Member Richter proposed forming a subcommittee of 1-2 from each committee along with the  
130 developer.

131 Council Member Palmquist stated that months of NRGC meetings went into this sketch plan. He feels it  
132 is time for the City Council to weigh in on this.

133 Council Member Nelson asked whether the MN Land Trust adds a level of protection over and above  
134 what the city can do alone?

135 City Attorney Knaak responded yes, and it is significant.

136 Council Member Nelson proposed going to tour the site as a group.

137 **Motion: Richter/ . To form a subcommittee to work with residents and Mr. Bush to work on re-**  
138 **design, including 2 from each committee plus 3 residents.**

139 Discussion

140 Mayor Pro Tem Ross suggested amending the motion or putting a time limit in place

141 Administrator Moorse stated that it is the responsibility of the developer to work with neighbors on key  
142 items. Also the developer needs to provide the City Engineer a concept plan for access that can be  
143 reviewed. The Council can give clear direction on what the developer needs to provide along with a  
144 timeline.

145 **Motion fails / no second**

146  
147 **Motion/Second: Palmquist/Nelson. To direct staff to work with the developer on traffic design,**  
148 **buffer issues, and issues on lots 1-4. Motion passed 4-0-0.**

149 Administrator Moorse stated that if the Neighborhood Group has specific questions or concerns to please  
150 list their top 3-5 and get to him.

151  
152 **B. Engineering Report – (Engineer Staff Report & Council Update)**

153 **Extend Gehrke Temporary Easement at 3561 St Croix Trail**

154 The Gehrke easement expired on December 31, 2016. An extension through December 31, 2017 in the  
155 amount of \$12,000.00 is part of the overall project funding.

156 **Motion/Second: Palmquist/Nelson. To authorize easement extension funds for the Gehrke parcel**  
157 **in the amount of \$12,000.00. Motion passed 4-0-0.**  
158

159 2017 Pavement Management Project Update

160 Requesting extra \$12,800 in additional funds due to remobilization costs because of schedule changes.

161 **Motion/Second: Richter/Palmquist. To authorize \$12,800 for remobilization costs due to schedule**  
162 **changes. Motion passed 4-0-0.**

163 Paving will begin this week on Odell and on 15<sup>th</sup> Street then working south; should be done by Monday.  
164 Then will begin other ancillary areas.  
165

166 **C. Administration –**

167 1. Pay Voucher No. 2 from Geislinger and Sons, Inc for the Downtown Improvement Project

168 **Motion/Second: Palmquist/Nelson. To approve payment of Pay Voucher No. 2 from Geislinger**  
169 **and Sons Inc. for the Downtown Village Improvement Project in the amount of**  
170 **\$1,514,463.83. Motion passed 4-0-0.**  
171

172 2. Pay Request No. 3 from Ellingson, Inc. for the Wastewater Treatment System Project

173 **Motion/Second: Palmquist/Richter. To approve payment of Pay Request No. 3 from Ellingson**  
174 **Inc. for the Wastewater Treatment System Project in the amount of \$664,498.97. Motion passed 4-**  
175 **0-0.**

176 3. Costs related to Indian Trail Culvert Extension Permit

177 The Council approved the purchase and installation of an extension to the existing culvert on Indian Trail  
178 to address a problem with beavers plugging the culvert, which is the only outlet for Lake Edith. The  
179 culvert extension requires a public water permit from the DNR. The DNR is requiring an engineering  
180 design drawing with hydrological calculations for the new culvert extension and a sediment and erosion  
181 control plan as part of the permit process. The cost for the City Engineer to prepare these is \$3,000.

182 **Motion/Second: Nelson/Richter. To approve additional engineering expenses not to exceed**  
183 **\$3000 for the Indian Trail culvert extension, including a sediment and erosion control plan.**  
184 **Motion passed 4-0-0.**  
185

186 4. Deputies Facility Cost Estimate (supplemental packet)

187 Cost estimate of \$153,500 was provided along with design of the facility. Washington County Sherriff  
188 to pay portion. Grading work could be completed and facility built in the fall.

189 **Motion/second: Palmquist/Nelson. To approve Resolution 2017-36 approving plans and**  
190 **specifications and authorizing advertisement for bids for the Garage/Deputy Office facility adjacent**  
191 **to City Hall. ROLL CALL: all aye. Motion passed 4-0-0.**  
192

193 5. City Credit Card – Resolution 2017-35

194 **Motion/Second: Palmquist/Richter. To approve Resolution 2017-35 adopting a City credit card**  
195 **use policy. ROLL CALL: all aye. Motion passed 4-0-0.**  
196

197 **Motion/Second: Palmquist/Richter. To authorize staff to move ahead with application process for**  
198 **a credit card through US Bank. Motion passed 4-0-0.**  
199

200 6. Reduce Park Fee for Exercise Class in Town Square Park

201 Council Member Palmquist noted that the applicant is a resident and this is not a commercial activity  
202 therefore he should be able to use the park for free.

203 Administrator Moorse stated that it would be good to have the classes scheduled on the park calendar.

204 **Motion/Second: Palmquist/Nelson To waive the park fee but require reservation process. Motion**  
205 **passed 4-0-0.**

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7. Request by Mudslinger Pottery for Paved Parking Area adjacent to 30<sup>th</sup> Street

Moose indicated that Mudslinger pottery currently has gravel parking in the 30<sup>th</sup> Street right of way. The plan for reconstruction of 30<sup>th</sup> street would eliminate this parking in favor of a grass surface. Kevin O’Hara of Mudslinger Potter has requested an area approximately 25 by 85 be retained for parking. This request is being brought to the Council for direction regarding the plan change, and for direction regarding whether the cost should borne the property owner or the City and if by the property owner whether the cost could be assessed.

Council Member Palmquist stated that the parking area should be kept open for the public.

Council Member Richter questioned runoff potential with the surface change.

Administrator Moose noted that the City Engineer has reviewed the proposal and does not have any run-off concerns.

Council Member Nelson commented that it is on public property.

**Motion/Second: Palmquist/Nelson To approve the City paving and paying for the parking space based on keeping it open for public parking use; and having the city engineer review for runoff.**

**Motion passed 4-0-0.**

8. Schedule Work Session

Item Tabled

9. Resolution for Public Facilities Authority grant

**Motion/Second: Palmquist/Richter To approved Resolution 2017-37 authorizing the City of Afton to submit a Point Source Implementation Grant Application to the Minnesota Public Facilities Authority (PFA) and to authorize City Officials to execute a grant agreement on behalf of the City of Afton for the wastewater treatment system. ROLL CALL: All aye. Motion passed 4-0-0.**

10. Purchase new laptop

**Motion/Second: Palmquist/Richter To authorize purchase of additional laptop as per price quote. Motion passed 4-0-0.**

**E. Committee Reports**

1. Public Works - none
2. Personnel – none
3. Parks – none
4. Heritage Preservation Commission / Design Review - meeting tomorrow
5. Natural Resources and Groundwater – no quorum at last meeting

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

- A. Ward 1 Council Member Palmquist - none
- B. Ward 2 Council Member Richter - none
- C. Ward 3 Council Member Ross – none
- D. Ward 4 Council Member Nelson – none
- E. Mayor Bend – absent
- F. City Attorney Knaak – nearly done with a draft of motorcycle ordinance
- G. City Administrator Moose - none

**11. ADJOURN –**

**Motion/Second: Palmquist/Nelson. To adjourn the meeting. Motion passed 4-0-0.**

Meeting adjourned 10:14 PM.

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Respectfully submitted by:

\_\_\_\_\_  
Julie Yoho, City Clerk

Approved by Council (July 18, 2017) as (check one): Presented: \_\_\_\_\_ Amended:   x  

Mayor Richard Bend \_\_\_\_\_ Date \_\_\_\_\_