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

APPROVED City Council Regular Meeting Minutes
August 20, 2019
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 P.M.

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

2. THE PLEDGE OF ALLEGIANCE – was recited.

3. ROLL CALL: Mayor Palmquist, Council Members Wroblewski, Ross, Nelson, Perkins. **A Quorum was Present.**

ALSO PRESENT: City Engineers Susan Polka & Nick Guilliams, City Administrator Ron Moorese, City Attorney Fritz Knaak, Planning Commission Chair Kris Kopitzke

4. APPROVAL OF AGENDA –

Add items: 9c8 “Ziedel concerns”, 9c9 “40th & Neal intersection”, 9c10 “subcommittee discussion”, 9c11 “short term rentals”.

Motion/Second Ross/Wroblewski To approve the agenda for the August 20, 2019 Regular City Council meeting with addition of items above. Passed 5-0.

5. APPROVAL OF MINUTES

A. Minutes of July 16, 2019 Regular City Council meeting

Motion/Second Ross/Wroblewski To approve the minutes of the July 16, 2019 Regular City Council meeting with correction to line 154 and line 169. Passed 5-0.

B. Minutes of August 1 Special Council meeting.

Motion/Second Ross/Wroblewski to approve the minutes of the August 1, 2019 Council Special Council meeting. Passed 5-0.

6. PUBLIC INPUT –

none

7. REPORTS/PRESENTATIONS –

A. Sheriff’s Monthly Report

There was a bad accident at 40th & Neal. Additional patrols have been requested over Labor Day weekend and also rush hour patrols on 40th between Manning – Neal.

B. Tom Niedzwiecki, Budget Report

No report

C. Lower St. Croix Fire District Report

No report

8. CONSENT AGENDA

A. Just and Correct Claims

B. 4M Fund Transfer July – Resolution 2019-31

53 **Motion/Second Ross/Wroblewski to approve Resolution 2019-31 4M fund transfers for July. All aye,**
54 **passed 5-0.**

55

56 **9. CITY COUNCIL BUISINESS**

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

58 1. Kathy & David Boisjoli Application for Ordinance Amendment and CUP at 15489 45th St

59 a. Ordinance 04-2019

60 b. Resolution 2019-32

61 **Motion/Second Wroblewski/Palmquist to approve Ordinance Amendment 04-2019 regarding a**
62 **private riding stable with equine-assisted mental health therapy at 15498 45th St. Passed 5-0.**

63

64 Mayor Palmquist would like to add a condition to the CUP to state that the existing septic for the barn
65 must be abandoned or brought into compliance.

66 Council member Nelson stated that we should require separate septic system for practice as there is a
67 number of people coming through.

68 Applicant stated that long term would like to have one in the barn, need to see how much cost is to bring
69 into compliance. Would plan to have portable toilet.

70 Mayor Palmquist suggested language changed to “adequate septic facility”

71 Applicant could provide records for past 2 years from their current location in Woodbury where they
72 have a portable toilet.

73 Mayor Palmquist suggested language “applicant must maintain a temporary toilet facility or adequate
74 septic system up to county standards within 1 year.

75 Other conditions:

76 7. Applicant shall provide survey showing number of pasture acres on property

77 8. Applicant shall provide manure management plan including storage a minimum of 150’ from property
78 lines.

79 9. Limit subcontractors to four

80 10. Subcontractor vehicle trips shall be limited to 45 per day

81 11. Current screening of neighbor property shall be maintained

82 12. Owner shall notify city of any loss of licensure.

83 **Motion/Second Wroblewski/Ross to approve Resolution 2019-32 for a Conditional Use Permit with**
84 **additional conditions added above. Roll call: All aye, passed 5-0.**

85

86 2. PLCD ordinance review – update

87 Chair Kopitzke provided an update on the review. Shared driveways were discussed at the last meeting.

88

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

90 1. River Road Sanitary Sewer Project

91 City Engineer Polka reported on the bids received. Lowest one received was 30% over engineers
92 estimate. Would recommend re-bidding in December or January.

93 Council member Ross asked if there was any way to reduce costs. Could we use old railroad bed to run
94 pipe?

95 Council member Perkins stated that River Rd. residents were to be hooked up in 2017. Now looking at
96 3 years. Residents have been assessed and are unable to use. 18 residents total, 16 partially connected
97 and 2 have nothing. Can city assess for something they aren’t getting?

98 Attorney Knaak stated that anything the city does that provides a benefit to the property can be assessed.

99 Council member Ross stated that 2 residents (Perkins & her neighbor) were not hooked up. Others
100 hooked up to 201 system and paid for maintenance on system. Now city covers maintenance which is
101 a significant gain since \$300,000 lift station was put in. Improvement was made.

102 Attorney Knaak stated the city has to establish the benefit of the public service.

103 Mayor Palmquist stated that 16 homes have benefit. Would be supportive if Perkins and her neighbor
104 want out.

105 Council member Perkins stated they have been paying assessment for 2 yrs already.
106 Attorney Knaak asked is it enhancing value or property? Should it be assessed less?
107 Mayor Palmquist stated that many properties have been assessed and have not hooked up yet.
108 **Motion/Second Ross/Palmquist To direct WSB to re-bid the River Road sewer project December**
109 **for January award and think of any alternatives and refund the 2 home assessments until system**
110 **is installed and ready for connection.**
111 **Palmquist amend that the two homes can decide what they choose to do.**
112 Council member Nelson asked if there is a conflict of interest issue?
113 Attorney Knaak stated that you should not vote on something you get financial benefit from. Assessment
114 issue could be an issue. Issue is vote, not discussion.
115 Council member Ross stated that he has abstained anytime there is anything remotely close to him.
116 Council member Wroblewski feels this is exceptional and feels Perkins voice is important.
117 Council member Perkins stated we should lock into the price quote of the middle bid to get the job done
118 this year.
119 Council member Nelson stated we should bid at the best time to save money.
120 Council member Ross state that this issue was brought up 6 years ago by WSB to the council. Engineers
121 were not the bad guy in this.
122 **Motion vote: Passed, 4-0-1 (Perkins abstain).**

123
124 2. Bridge 82505 Guardrail replacement
125 Engineer Guilliams provided a summary of the project
126 **Motion/Second Ross/Nelson to approve proposal from WSB to provide engineering services to**
127 **prepare quote package to replace guardrail at cost not to exceed \$21,000. Passed 4-1 (Wroblewski**
128 **nay).**

129
130 3. 2020 Road Improvement project
131 Council member Ross stated taht in 2017 road costs were \$200,000 per mile; now nearly \$500,000 per
132 mile. We will bid in January.
133 **Motion/Second Ross/Nelson to approve proposal from WSB to provide engineering services to**
134 **provide a bid package for the 2020 Road Improvement project at a cost not to exceed \$64,211.**
135 **Passed 4-1 (Wroblewski nay).**

136
137 4. Bridge L8173 (Putnam Blvd over Valley Creek)
138 Bridge could be removed from program, risk is no longer inspected and city would have to be
139 responsible for and monitor, also no longer eligible for any grant programs. To open as trail requires
140 work to bring up to standard.
141 **Motion/Second Palmquist/Wroblewski to discuss bridge L8173 at a work session in future.**
142 **Passed 5-0.**
143 **Wroblewski amend to include Parks Committee on discussion.**

144
145 Update on Afton Creek Preserve: First phase paving, shouldering next week. Noxious weeds have been
146 sprayed.

147
148 **C. Administration –**

- 149 1. 2018 Audit Report (taken out of order)
150 Dean Berklund, Carlson SV; Provided a summary of the Financial Statement Audit 2018. Also
151 noted that a 2017 Federal Audit was done separately as required for federal grant money.
152 **Motion/Second Ross/Nelson to adopt the Financial Statement Audit for FY 2018. Passed**
153 **5-0.**
154
155 2. City Docks Rehabilitation
156 Quotes and work were discussed during the work session.

157 **Motion/Second Perkins/Palmquist to accept quote of \$28,050 from Meeco Sullivan for the**
158 **fabrication of the new dock support structure. Passed 5-0.**

159 **Motion/Second Palmquist/Ross To accept bid from Afton Marina for installation of the**
160 **new dock support structure at cost not to exceed \$30,200.00 Passed 5-0.**

161

162 **3. Levee Erosion Repair and Erosion Control options (taken out of order)**

163 Administrator Moose provided the following information: The high water on the river
164 deposited debris along the levee and caused erosion along the levee. The debris needs to be
165 removed and the erosion needs to be repaired, along with installing an erosion control blanket
166 and seeding, by late this summer. This would enable the new vegetation to get established this
167 fall, so that it is in place for possible high water next spring. Tri County Services has provided
168 a price quote of \$15,000 to remove the debris and repair the erosion, and is preparing a price
169 quote for installing erosion control blanket and seed. Most or all of this cost could be
170 reimbursed by the Federal Emergency Management Agency (FEMA).

171 Another option, that would provide a long term solution, is installing rip-rap along the lower
172 portion of the levee. The rip-rap would prevent erosion during high water. The cost of
173 installing rip-rap is about \$85,000. Staff has discussed the rip-rap option with FEMA, who
174 indicated they may consider funding a significant portion of the costs because it would be a
175 permanent solution. However, the timing of their decision regarding funding is unclear.

176

177 **Motion/Second Palmquist/ To authorize Tri County to remove debris, install blanket**
178 **and dirt. (no second)**

179 Ken Johnson stated that the WSB bid for this work was \$33,000. Would recommend we rip-rap
180 and be done, so that we won't be doing again next year.

181 Mayor Palmquist asked when FEMA expires (Only have funding for this flood event)

182 **Mayor Palmquist withdrew the motion**

183 Council member Ross expressed concern that we may be doing do repairs again and again, then
184 eventually rip-rap.

185 Council member Perkins stated she likes the rip-rap solution.

186 Council member Wroblewski asked if we defer decision and get more info on FEMA funding
187 possibility.

188 Ken stated that if we are seeding, it needs to be done asap to allow for growth prior to frost. We
189 know FEMA funds will cover restoration.

190 **Motion/Second Perkins/Palmquist to approve \$15,000 to remove debris and begin levy**
191 **repair and seeding. Passed 4-1 (Ross nay)**

192

193 **4. Signs and Trail for Steamboat Park**

194 **Motion/Second Ross/Palmquist to approve spending up to \$500 for the installation of five**
195 **signs in Steamboat Park indicating no camping and no fires, with staff to have flexibility**
196 **on wording. Passed 5-0.**

197

198 **5. Laserfiche Workflows implementation and credit card payment capability**

199 **Motion/Second Palmquist/Ross To approve obtaining a device license from Laserfiche for**
200 **a one-time cost of \$350 and an annual maintenance cost of \$70 to enable credit card**
201 **payments. Passed 5-0.**

202

203 **6. City council expense reimbursement policy**

204 **Motion/Second Palmquist / Nelson to approve council expense reimbursement policy with**
205 **\$10 per meal limit. Passed 5-0.**

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207 **7. Police service coverage**

208 Council will discuss at the work session on Wednesday.

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8. Ziedel Concerns

Council member Perkins received a complaint regarding noise from Zeidels; also concerns about a blind spot on driveway, speeding in town, the flagpole light at city hall, and idling of vehicles at city hall.

Motion/Second Palmquist /Perkins to direct staff to change flagpole light and get quote for a safety mirror and monitor idling vehicles. Passed 5-0

9. Accident at 40th & Neal

The county is looking into signage.

10. Subcommittee

Ross and Wroblewski are on a subcommittee for dealing with development complaints.

Motion/Second Palmquist/Nelson to disband construction subcommittee and designate Ross and Wroblewski as primary points of contact for residents and contractors. Passed 5-0.

11. Short term rentals

Mayor Palmquist state that the State gave guidance to the county assessor that if the primary use of property is rental, it is commercial use. Would like to have policy and discuss at a work session.

D. Committee Reports

1. Public Works – Putnam bridge opinion was to not spend money on, future bridge costs
2. Personnel – no report
3. Parks – no report
4. Heritage Preservation Commission / Design Review – no report
5. Natural Resources and Groundwater – water testing feedback

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

- A. Ward 1 Council Member Perkins – no report
- B. Ward 2 Council Member Wroblewski – no report
- C. Ward 3 Council Member Ross – no report
- D. Ward 4 Council Member Nelson – DNR funding for downtown project
- E. Mayor Palmquist – attended Belwin Music in the trees, pollinator grants
- F. City Attorney Knaak – no report
- G. City Administrator Moorse – no report

11. ADJOURN

Motion/Second Wroblewski/Ross to adjourn. Passed 5-0.

Meeting adjourned at. 10:20PM.

Respectfully submitted by:

JY
Julie Yoho, City Clerk

Approved by Council September 17, 2019 as (check one): Presented: X Amended: _____

Mayor Bill Palmquist _____ Date _____