



City of Afton

Please Note: Special meetings may be called by the mayor or by two (2) members of a five-member council in writing, filed with the city clerk who shall then mail a notice to all the members of the time and place of meeting at least one day before the meeting. All meetings of the council shall be open to the public.

CALL FOR SPECIAL MEETING

DAY & DATE OF MEETING: Monday, August 29, 2016
TIME: 4:00 p.m.
TYPE OF MEETING: Council Work Session
LOCATION OF MEETING: Afton City Hall, 3033 St. Croix Trail

ITEMS FOR THE AGENDA: (Only items requested here may be included for discussion or action at the meeting.)

1. Maintenance of the Western Segment of Upper 34th Street (Cemetery Road)
2. Update of the Benefit Analysis for the Special Assessments for the Downtown Village Improvements Project

CALLED BY:

Mayor Richard H. Lund

8-24-16

OR

Date

Council Member 1 _____

Date

Council Member 2 _____

ACCEPTED BY:

[Signature]
City Administrator

Date

8-24-16

Date



SPECIAL COUNCIL MEETING AGENDA

AFTON CITY COUNCIL CHAMBERS

3033 St. Croix Trail South

Monday, August 29, 2016

At 4:00 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA – August 29, 2016 Special Council Meeting**
- 4. CITY COUNCIL BUSINESS**
 - A. Maintenance of the Western Segment of Upper 34th Street (Cemetery Road)
 - B. Update of the Special Benefits Appraisal for the Special Assessments for the Downtown Village Improvements Project
- 5. ADJOURN**

A quorum of the City Council or Other Commissions may be present to receive information at, but not limited to, any of the following meetings: Planning Commission; the Public Works Committee; Parks Committee; Design Review and Heritage Preservation Commission; Lower St. Croix Cable Commission; LSCWMO; MSCWMO; I-94 Corridor Coalition and the 5-City Mayor's Alliance.

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

Meeting Date Aug. 29, 2016

Council Memo

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: August 23, 2016
Re: Maintenance of the Western Segment of Upper 34th Street (Cemetery Road)

The residents at the top of the hill on Upper 34th Street have historically maintained the roadway. They contract with a private contractor for snow removal and one of the residents does grading of the roadway as needed. A review of this maintenance arrangement by the City Attorney resulted in the opinion that there is potential liability for those who maintain the roadway. While this has been the case over the years, because the residents are now aware of the potential liability they are reluctant to perform the maintenance. The roadway is currently in need of maintenance – adding lime rock and grading ruts. This maintenance needs to be done in the near future. The roadway will also require snow plowing in the winter.

Cost of Currently Needed Maintenance

While Tri County, the City's road maintenance contractor, has indicated they do not want to take on regular maintenance of this road, they have provided a price quote to provide the maintenance currently needed on the roadway. The cost would be \$3,666 for the lime rock and \$500 for grading with a skid loader, for a total cost of \$4,166. Tri County also has provided a price quote of \$200 for the installation of a culvert across the driveway entrance to the Mount Hope Cemetery to enable vehicular access into the Cemetery.

Maintenance Arrangement/Agreement and Liability

In relation to liability concerning the maintenance of public roadways, there is a statutory cap on the City's liability. The City also has statutory immunity from liability related to its discretion regarding decisions about items such as roadway maintenance. The private parties do not have these limitations on their liability. The City Attorney has suggested the residents form a limited liability corporation to limit their liability and purchase a reasonable level of liability insurance. The City could then enter into an agreement with the residents that could involve the City providing some level of indemnification regarding liability. The City Attorney will attend the meeting to assist the Council in its discussion regarding an agreement with the residents.

Council Action Requested

- 1. Motion regarding the maintenance currently needed on the roadway**
- 2. Motion to provide direction regarding an agreement with the residents concerning the maintenance of the road**

Meeting Date Aug. 29, 2016

Council Memo

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

To: Honorable Mayor Bend and Members of the City Council
From: Ron Moorese, City Administrator
Date: August 23, 2016
Re: Update of the Special Benefits Appraisal for the Special Assessments for the Downtown Village Improvements Project

A special benefits appraisal was prepared in 2013 to provide a guide to the level of assessments to be levied for partial funding of the Downtown Village Improvements Project. Because it has been nearly three years since the special benefits appraisal was prepared, it would be beneficial to have the appraisal updated to reflect current market information. Diane Hankee, City Engineer, is working with Paul Gleason of BRKW, who prepared the initial special benefits appraisal, to provide a cost and timeline for an updated appraisal. It is important that the updated appraisal be provided prior to the assessment hearing, which is planned to be held in October.

Council Action Requested

- 1. Motion regarding authorizing an update of the special benefits appraisal for the assessments for the Downtown Village Improvements Project by Paul Gleason of BRKW.**