



CITY COUNCIL WORK SESSION AGENDA

AFTON CITY COUNCIL CHAMBERS
3033 St. Croix Trail South (See Note Below)

Monday, September 28, 2020

At 6:15 p.m.

Note: Due to the Covid-19 Virus and the Governor's Executive Order, the September 28, 2020 City Council work session will be held remotely using the Zoom video conference application.

To Join the Zoom Meeting:

The Link is: <https://us02web.zoom.us/j/84866236066>

Meeting ID: 848 6623 6066

To Dial In, the call-in number is +1 312 626 6799

The meeting ID is 848 6623 6066

One tap mobile

+16465588656,,84866236066# US (New York)

+13017158592,,84866236066# US (Germantown)

CALL TO ORDER

1. **ROLL CALL**
2. **APPROVAL OF AGENDA** – September 28, 2020 Council Work Session
3. **CITY COUNCIL BUSINESS**
 - A. **Subdivision Concept with Shared Driveways**
 - B. **Accessory Buildings On Lakefront Lots**
 - C. **Engineering Assistance**
 - D. **Valley Branch Watershed District Board of Managers Vacancy**
 - E. **Additional Staff Assistance for Zoning Code Enforcement**
 - F. **3M Settlement Update**
 - G. **City Administrator Updates**
4. **Adjourn**

A quorum of one or more City commissions or committees may be present to receive information during this meeting

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

Meeting Date Sept. 28, 2020

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: September 24, 2020

Re: Shared Driveway Subdivision Concept

Attached is a concept plan for a subdivision that would create 4 lots on 92 acres through the use of 2 shared driveways. Three key elements of the concept plan are the large lots, access provided by shared driveways and the lack of frontage on a public road. Staff has advised the proposer that the concept plan should be revised to increase the size of lot 3 to 20 acres, which could be done by extending a portion of the lot to the south. The lack of frontage on a public road is partially due to 10th Street not having a true cul de sac that connects to this property, and partially due to the code not allowing a subdivision that requires a new public road in the Ag zone except through a PLCD. The Council has discussed the general concept of allowing a subdivision with shared driveways to create large lots, as an alternative to a PLCD. Because 10th Street is already a long cul de sac, it is preferable to limit the number of additional lots being accessed from the cul de sac.

A key element of the shared driveway subdivision concept would be to ensure the large lots are maintained over the long term by prohibiting future subdivision of the lots through a conservation easement. Representatives of the Belwin Conservancy have indicated they would be open to holding the conservation easement - not in terms of managing the use to protect natural features, but only in terms of prohibiting future subdivision of the lots.

If the Council is open to this concept, the standards for such a concept would need to be identified and reflected in the zoning code. The standards could include requirements such as a minimum initial property size, i.e. 80 acres; a minimum lot size, i.e. 20 acres; a conservation easement to prohibit future subdivision of the lots, a limit of two lots per shared driveway and a driveway maintenance agreement setting out the responsibility for the maintenance of each of the driveways.

This concept would require an amendment to the Comprehensive Plan's requirement that all lots have 300 feet of frontage on a public road. This could be done through an exception specific to the standards for the shared driveway concept, similar to the exception that allows a subdivision in the Ag zone with a public road and greater density through a PLCD.

While the shared driveway concept does not protect a large open space parcel in the way that the PLCD does, it does require and preserve large lots with their own open space. The shared driveway concept also avoids a new public road that the city would be required to maintain.

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Meeting Date Sept. 28, 2020

Council Memo

To: Mayor Palmquist and City Council Members
 From: Ron Moorse, City Administrator
 Date: September 24, 2020
 Re: Accessory Buildings on Lakefront Lots

The Council, at its August 18 regular meeting, addressed the issue of the apparent conflict between two sections of the zoning code related to accessory buildings on lakefront lots. Mayor Palmquist has requested this topic be discussed in more detail at a work session.

While the Zoning code does not generally allow accessory buildings to be located closer to the front property line than the principal structure, the code makes an exception for accessory buildings on lake frontage lots and stream frontage lots (see paragraph H below). This makes sense, because both the City and property owners on a lake or stream would generally prefer accessory buildings to be located farther from the lakeshore or stream than houses. Also, there is often topography and/or vegetation that would make it preferable to locate an accessory building between the public street and the house.

However, the exception also refers back to the general regulations (see paragraph G below) that require the accessory building to be located within 25 feet of the principal building, or to be fully screened year round from neighboring properties and the public road. These are the same requirements as for accessory structures on non-lake frontage lots.

From staff's perspective, the purpose of paragraph G is to avoid accessory buildings being more visible than houses from the public road and from neighboring properties. This is particularly the case on smaller lots, to avoid neighboring property owners having the back of an accessory building as part of the view of their front yard. However, on lakefront lots, the important view for the property owners is the view of the lake. Houses and outdoor spaces are focused toward the lake vs. toward the road.

Staff is requesting direction from the Council regarding whether paragraph G is needed for lakefront lots.

G. No accessory building shall be located nearer the front lot line than the principal building on that lot except by Administrative Permit as provided for herein:

1. The proposed accessory building shall be located on a lot of five or more acres; and
2. The proposed accessory building shall be screened from the public street and neighboring parcels by existing vegetation that provides year-round screening and exceeds the height of the accessory building unless the accessory building is of the same design and material as the principal building and is located 25 feet or less from the principal building, provided all other required setbacks are met.

H. Accessory structures located on lake or stream frontage lots may be located between the public street and the principal structure as regulated by the shoreland management ordinance and Subsection (G) of this section.

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Meeting Date Sept. 28, 2020

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: September 24, 2020

Re: Engineering Assistance

Afton's approach to public works projects is a pragmatic one focused on providing an effective solution at the lowest price. This involves a balance between strict engineering processes and solutions and non-engineered solutions. Afton is fortunate to have a public works construction contractor with a broad range of experience who has demonstrated the ability to provide successful and cost-effective non-engineered solutions. This provides the City with flexibility in its approach to public works projects. Large projects, particularly those exceeding the threshold that requires competitive bidding, require a formal bidding process which generally involves formal engineering design, inspection and contractual requirements. However, these projects can also benefit from early input from the City's contractor.

Transition from Nick Guilliams to a New Lead Engineer.

Nick Guilliams served as the Project Manager for the Downtown Village Improvement project, and has been serving as the City's Lead Engineer for several years. Over these years, Nick has adapted well to Afton's approach to public works projects, and has worked well with the City's public works contractor. Nick has recently taken on additional responsibilities at WSB and has delegated some responsibilities related to Afton to Klay Eckles, the largest of which is the completion and close-out of the Afton Creek Preserve subdivision project. Klay has been able to address the key outstanding issues related to the subdivision.

As the Council considers the transition from Nick Guilliams to a new Lead Engineer, it is important that the new Lead Engineer is able to adapt to the City's pragmatic approach to public works projects, including being able to work collaboratively with the City's contractors and to be open to considering creative and non-engineered solutions. The new Lead Engineer also needs a broad range of expertise or the ability to readily access the expertise of other staff at WSB to provide effective solutions and advice. Nick is committed to ensuring a smooth transition to a new Lead Engineer who is a great fit for Afton.

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Meeting Date Sept. 28, 2020

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: September 24, 2020

Re: Valley Branch Watershed District Board of Managers Vacancy

There will be an upcoming vacancy on the Valley Branch Watershed District (VBWD) Board of Managers due to the retirement of Jill Lucas from the Board. Vacancies on the Board of Managers are filled by the Washington County Board of Commissioners. Cities can submit the names of residents with knowledge and interest in water resources to the County Board for its consideration for appointment to fill the vacancies. It is important that an Afton resident be appointed to fill the vacancy. If Council members know of residents who would be interested in serving on the VBWD Board of Managers please bring those names to the work session.

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Council Action Memo

To: Mayor Palmquist and City Council Members
From: Ron Moorse, City Administrator
Date: September 24, 2020
Re: Additional Staff Assistance for Zoning Code Enforcement

Staff has surveyed a number of cities in the area to determine how they are staffed for zoning code enforcement, and whether there may be opportunities to share staff or use the same contracted service. Denmark Township uses the City of Cottage Grove for their zoning code enforcement. Staff will contact the City of Cottage Grove to determine if they would be able to provide code enforcement assistance to Afton. Also, several years ago, a former part-time interim administrator in Lake St. Croix Beach had asked whether Afton could use assistance with its code enforcement. At that time, neither the general workload nor the code enforcement workload were at the current levels, so assistance was not needed. Staff will follow up with him to determine if he is still interested in providing that assistance, and will provide additional information at the work session.

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Council Memo

To: Mayor Palmquist and City Council Members
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Date: September 24, 2020
Re: 3M Settlement Update

The east metro area cities have been working through a process with the Trustees of the \$720 million of 3M Settlement funds to develop a conceptual drinking water supply plan to provide safe drinking water to the east metro area for the long term. The trustees of the 3M settlement funds are the Minnesota Department of Natural Resources and the Minnesota Pollution Control Agency. Based on the work of a consultant team and input from the east metro cities regarding preferred drinking water supply plan scenarios, the Trustees have presented three recommended conceptual drinking water supply plan draft options for public input over the next month. The Council previously received the PowerPoint slides of the presentation and additional information is also available online at <https://3msettlement.state.mn.us/DrinkingWaterSupply>. While the Trustees have recommended the three draft options, no final decisions have been made. There is a 45 day comment period, ending on October 26, during which the Trustees will obtain feedback from local governments, business groups and the general public.

While the overall options were not a surprise (groundwater-based systems with filtration systems for municipal water systems) the amount of funding provided for private wells was substantially lower than expected. The preferred option allocates \$19 million to addressing contamination of private wells. While the Trustee's consultant does not expect the PFAS plume that is affecting private wells in northern Afton to move significantly to the south; if the plume was to move to the south, the cost to provide and maintain filtration systems for the private wells in Afton could exceed the amount of funding allocated.

Staff has talked about this with Greg Johnson, the WSB engineer who has been representing Afton in the 3M Settlement process on the technical subgroup. He agrees the amount allocated to private wells is too low. Staff and Greg talked with the Trustees' consultants regarding this concern. The consultants explained that the plume is not expected to move to the south in Afton; and over the long term, Afton is expected to have approximately 18 wells that require filtration systems. However, the consultants used a particle tracking process to identify an area in which additional wells could be affected. This area is shown on the attached map as the light brown shaded area. This area includes 75 wells in Afton vs. the 18 wells projected to be affected. The consultants indicated there is \$30+million in a contingency fund that can be used for the costs of treating additional affected wells, as well as covering cost-overruns.

It is important that Afton provide feedback to the Trustees that sufficient funding must be allocated to ensure that all wells in Afton that exceed the agreed upon threshold of PFAS will be provided with a filtration system and the required annual maintenance of the system.

