

**10-19-2021**

**CITY COUNCIL  
REGULAR MEETING**

**SUPPLEMENTAL PACKET**

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

**DRAFT City Council Work Session Meeting Minutes  
September 27, 2021  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001**

**4:30 P.M.**

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1. **THE MEETING WAS CALLED TO ORDER** at 4:30 P.M. by Mayor Bill Palmquist
  2. **ROLL CALL:** Mayor Palmquist, Council Members Lucia Wroblewski, Randy Nelson, Stan Ross and Annie Perkins. **A Quorum was present.** City Administrator Ron Moose and City Attorney Fritz Knaak were also present.
  3. **APPROVAL OF AGENDA – Motion/Second Perkins/Wroblewski. To approve the agenda for the September 27, 2021 City Council Work Session. Roll Call, All Ayes, passed 5-0-0.**
  4. **CITY COUNCIL BUSINESS**
    - A. Proposal for a dog care facility on the former truck driving school property at 14386 Hudson Road  
Moose explained a proposal for a dog care facility at 14386 Hudson Road that includes dog day care, overnight boarding, grooming, training, and a private dog park. The Hudson Road property is 42 acres in size. The proposal requires approximately one-half of the property. Moose also reported that the zoning code currently does not allow commercial kennels, which includes boarding and/or training, in any zoning district. The property is zoned (I1-B). The industrial zones do not allow retail business uses, or commercial recreation uses which include skating, firearms range, golf driving ranges, miniature golf or putting courses, golf training facilities and similar uses.  
Moose explained the purpose of the work session discussion is to provide feedback regarding whether the Council would be open to considering the proposed use and the required ordinance amendments, or not.  
It was questioned whether allowing this business would open up the industrial zone to a range of retail businesses.  
The Council directed staff to determine in which types of zoning districts similar uses are located in other cities.
    - B. Update from the City Attorney regarding the status of zoning violations  
The Fritz Knaak, City Attorney, provided updates on the status of the prosecution of zoning violations.
    - C. Use of American Rescue Plan Act (ARPA) funds  
Moose summarized a listing of potential uses of the City’s \$340,000 allocation of ARPA funds. The listing is based on eligible uses that have been discussed by the Council, as well as potential funding of planned projects such as the scanning of older resolutions, ordinances and minutes. The Council was supportive of the listing of uses.
    - D. Army Corps of Engineers concerns regarding the impact on the levee of the proposed Gehrke house at 3561 St. Croix Trail  
Moose referenced an email from Eric Wittine of the Army Corps of Engineers regarding the levee and the proposed Gehrke house at 3561 St. Croix Trail. The email lists a number of concerns regarding the levee and the proposed Gehrke house and includes a number of

54 considerations related to the levee if the house is built on the Gehrke property. Moorse  
55 indicated, from staff's perspective, the most concerning element of the email is the  
56 consideration regarding stopping the Corps.-certified levee at the Gehrke property, so that it  
57 does not have to meet the Corps' requirements.

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59 The Council questioned whether a small enough house would work for the Corps.

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61 Nelson suggested obtaining something firm from the Corps. regarding whether they would  
62 allow the house without impacting their certification of the levee.

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64 E. Private sign regulations

65 Fritz Knaak, the City Attorney, provided advice regarding the regulation of signs, particularly  
66 private signs. He advised that the City cannot regulate the content of signs, but can regulate the  
67 size and location of signs.

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69 **5. ADJOURN**

70 **Motion/Second: Perkins/Wroblewski. To adjourn at 6:46p.m. Roll call: All ayes, passed 5-0-0.**

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73 Respectfully submitted by:

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76 Ronald J. Moorse, City Administrator

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79 Approved by Council on October 19, 2021 as (check one): Presented: \_\_\_\_\_ Amended: \_\_\_\_\_

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82 Mayor Bill Palmquist \_\_\_\_\_ Date \_\_\_\_\_

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

**DRAFT City Council Special Meeting Minutes  
October 4, 2021  
Afton City Hall  
3033 St. Croix Trail  
Afton, MN 55001  
4:30 P.M.**

1. **THE MEETING WAS CALLED TO ORDER** at 4:35 p.m. by Mayor Palmquist.
2. **ROLL CALL:** Council Members Randy Nelson, and Lucia Wroblewski and Mayor Bill Palmquist. A **Quorum was present.** City Administrator Ron Moose was also present.
3. **APPROVAL OF AGENDA –**  
**Motion/Second: Wroblewski/Palmquist. To approve the agenda for the October 4, 2021 City Council Special Meeting. Roll Call, All Ayes, passed 3-0-0.**

4. **CITY COUNCIL BUSINESS**

A. Afton Creek Preserve Incomplete Items

Moose explained that the Council, at its September 21, 2021 regular meeting, identified a list of incomplete items that needed to be completed by October 4, 2021. The Council also directed that a Special Council Meeting be scheduled on October 4, 2021, at which a resolution finding the developer in default of the Developer Agreement would be considered if all items in the list were not complete. Moose also explained that the Developer’s Agreement provides that whenever any event of default or failure to conform to the terms and conditions of the Developer’s Agreement occurs, the City shall give written notice of the event of default or failure to perform to the developer. If the developer fails to cure the event of default or failure to perform within 15 days after the date of the mailed notice, the City may then avail itself of the remedies provided in the Developer’s Agreement.

**Motion/Second: Wroblewski/Palmquist. To adopt the staff’s prepared resolution of default with the addition of a finding that the installation of a professionally fabricated sign at Neal Avenue and 50<sup>th</sup> Street indicating no construction traffic allowed on Odell Avenue is not complete.**

The Council discussed the list of incomplete items, and particularly discussed what can be done to prevent construction traffic on Odell. The Council agreed that the City should have a sign made and installed but the developer should be responsible for the cost of the sign.

**The Council then voted on the motion to adopt the resolution finding the developer in default of the Developer’s Agreement.**

**Roll Call: All ayes, passed 3-0-0.**

B. Bridge Inspection Proposal

Moose explained the proposal from WSB for the required annual bridge inspections at a cost of \$5,400.

**Motion/Second: Palmquist/Nelson. To approve the proposal from WSB for bridge inspections at a cost not to exceed \$5,400, and to be reduced if Bridge L8170 is excluded. Roll Call: All Ayes. Motion passed 3-0-0.**

C. Solid Waste and Recycling Services RFP Update

Moose provided an update regarding the solid waste and recycling RFP process. Moose reported that proposals from two qualified respondents were received in response to the RFP, and the County’s consultant is in the process of analyzing the proposals from a financial perspective. He also reported

55 that Council members Perkins and Ross will review the proposals, along with the consultant's analysis,  
56 and will evaluate the proposals based on the same criteria as were used for the 2016 RFP process.  
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58 **5. ADJOURN**

59 **Motion/Second: Wroblewski/Nelson. To adjourn at 5:25 p.m. Roll call: All ayes, passed 3-0-0.**  
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62 Respectfully submitted by:

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64 Ronald J. Moore, City Administrator  
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67 Approved by Council on October 19, 2021 as (check one): Presented: \_\_\_\_\_ Amended: \_\_\_\_\_  
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71 Mayor Bill Palmquist \_\_\_\_\_ Date \_\_\_\_\_