

**CITY COUNCIL WORK SESSION
AGENDA**

**Monday, October 30, 2023
4:30 PM**

The October 30, 2023 City Council Work Session meeting will be held in-person

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA** – October 30, 2023 Council Work Session
- 4. CITY COUNCIL BUSINESS**
 - A. Promotion of Small Scale Agriculture
 - B. Cannabis Regulations
 - C. Ice Rink for Winter of 2023/2024
 - D. Safety of Private Driveways with Bridges or Large Culverts for Access by Large Emergency Public Safety Vehicles
 - E. City Administrator Updates
- 5. ADJOURN**

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

Meeting Date Oct. 30, 2023

Council Memo

To: Mayor Palmquist and City Council Members
From: Ron Moorse, City Administrator
Date: October 25, 2023
Re: Promoting Small Scale Agricultural Uses

Background

Attached are information and suggestions from the small scale ag working group of the Ag Preservation Committee. These suggestions were presented to the full Ag Preservation Committee. Below is a recap of what was discussed:

1. Farmer's Market - Karen shared with the group that the reason the past farmer's market ended was due to a lack of people attending. She said that while downtown Afton is very busy this summer that has not been the case in the past.
2. Open Farm Day event - The first question was if farms feel they need to be open to sell their product. Another concern was the liability an event like this would be to a farm. Karen noted that she no longer has her farm open for this reason. Any farm interested in participating in an open event needs to understand the potential risk in doing so.
3. Private Tasting Rooms - These were not discussed at length due to the current limitations and restrictions on alcohol products.
4. Old Village Night Market - Concerns similar to the Farmer's Market relating to the of number of people attending. This led to discussion of Afton's Strawberry Festival, which while is well supported by the community is lacking in agriculture related vendors. The suggestion for a fall Harvest Day Festival was made to celebrate the end of the growing season. This event could include local farms, other local vendors, and downtown businesses. It would require an organizer for the event.
5. Website, Newsletter, Facebook - The group felt these options would be very helpful to promote Afton's small Ag and connect the community to individual farms. It was also suggested that farms could post information (e.g. business card) on the community bulletin boards.
6. There was also discussion about selling farm products from a farm stand.

Recommendations Regarding the Promotion of Small Scale Agriculture

After reviewing the working group's suggestions, the full Ag Preservation committee recommended that three of these items be presented to the city council to help promote small farms and connect those farms with the community. These items are:

1. Farms may submit information about their farm/event to be included in the city newsletter, website, and posted on its Facebook page.
2. Farms may post their business card or event information on the city's bulletin boards.
3. Present the idea of a fall Harvest Day Festival as an additional Afton community event.

Afton Ag Subcommittee Recommendations

What are some of the other smaller farms in Afton and how do we identify them? It would be very helpful for the subcommittee to get thoughts and suggestions from as many small farms as possible.

- Afton Hills Farm
- Rusty Bucket Acres
- 10th Street Farm and Market
- Elm Tree Farm
- Yellow House Vineyard
- Marquette Vineyards
- Wonderland Tree Farm
- Finch Farms
- Mandalay Vineyard
- Rebel Pickle
- Jan's Artisan Gardens
- Little Foot Farm
- Numerous Hmong farms

Discussion on options to promote small farms in Afton:

- Reinststate the downtown Farmer's Market
 - Create an organized event to include products from all local farms
 - Jams, preserves, honey, baked goods
 - Flowers
 - Handcrafted herbal products, soaps
 - Pottery, candles and other products made on Afton farms
 - Hard cider and wine tasting
 - Possible food trucks
 - This market could be modeled after the Mill City Farmers Market in downtown Minneapolis
 - Consider changing the event name to better reflect the market's offerings
- Afton Open Farm Day
 - Any interested small farms could be open one weekend day a month at the same time for people to visit
 - Unique signage at each location to brand event for visitors
- Private tasting rooms
 - By appointment only in Afton to allow on site sales for anyone holding a farm license

- Old Village Night Market
 - Summer weekday evening market event
 - products for sale from Afton's farms
 - restaurants and retail shops open for event
 - music in the park by local musicians
 - This event could be modeled after Stillwater's *Summer Tuesdays*, which has been occurring for many years. This annual summer event also includes an outdoor, family-friendly movie at dusk

- Afton Website
 - Link from Afton's home page to each farm's website

- Afton Newsletter
 - Designate a section of the newsletter specifically for Ag related events
 - Ask the Mayor to include any farm events in their comments
 - Information for newsletter would be provided to office staff 1-2 months in advance of printing or as requested

- Afton's Facebook Page
 - Information relating to Ag events would be provided to Afton's office staff to post events on Afton's page

Discussion of selling farm products directly from farm:

- Minnesota has strong state laws that support agriculture and allows anyone who grows an agriculture product to be able to sell it off their property.

- Doing this in Afton is currently limited to a farm stand at the end of the driveway. It is worth noting that:
 - Minnesota state law requires that eggs sold from a farm must be kept at 45 degrees or colder, which is difficult to do from a roadside stand. Farms should be permitted to sell eggs from a refrigerator within a covered structure.
 - Fresh flowers require refrigeration prior to selling
 - Herbal products made from plants and botanicals grown on the farm such as lotions, salves, and balms also require a cooler environment.

- How does a CSA differ from a farm stand regarding this (e.g., refrigerated coolers are permitted for a CSA)

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Meeting Date Oct. 30, 2023

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: October 25, 2023

Re: Regulations Regarding Cannabis Use In Public Places and Spaces

Adult Use of Cannabis is now legal in Minnesota. Cities are now adopting ordinances to regulate the use of cannabis in public places and spaces. Some cities prohibit cannabis use wherever smoking is currently prohibited. Some cities are prohibiting cannabis use in all public places and spaces, including public parks, public sidewalks and public rights-of-way. Attached are ordinances from the City of St. Mary's Point and the City of Stillwater that prohibit cannabis use in public places and spaces.

**ORDINANCE NO. 2023-08-03
CITY OF ST. MARY'S POINT
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE OF THE CITY OF ST. MARY'S POINT, WASHINGTON COUNTY,
MINNESOTA, AMENDING SECTION 1503 NUISANCES TO THE CODE OF ORDINANCES
PROHIBITING PUBLIC USE OF CANNABIS FLOWER, CANNABIS PRODUCTS, LOWER-
POTENCY HEMP EDIBLES, OR HEMP-DERIVED CONSUMER PRODUCTS IN A PUBLIC
PLACE.**

WHEREAS, the State of Minnesota passed the new Regulation of Adult Use Cannabis Law, Chapter 63 of Minnesota Session Law – 2023, Regular Session (Statutes Chapter 342), much of which became effective as of August 1, 2023;

WHEREAS, Minnesota Statute § 152.0263 Subd. 5 provides local units of governments the authority to adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place; and

WHEREAS, the City of St. Mary's Point desires to prohibit the use of such products in public places, including, but not limited to, beaches and parks, within the City.

NOW, THEREFORE, the City Council of the City of St. Mary's Point hereby ordains that the following sections of the City Code are hereby amended by adding the following to Section 1503.030 Public Nuisances Affecting Morals and Decency:

G. Illegal Cannabis Use.
(1) Definitions.

Public Place. The term "public place" shall include any and every place in the City excluding the following:

- A private residence, including a person's curtilage or yard;
 - Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products on the property by the owner of the property; or
 - The premises of an establishment or event licensed to permit on-site consumption.
- (2) Prohibited Activity. No person shall engage in the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place within the City.
- (3) Penalty. Any person who engages in the use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place within the City is guilty of a petty misdemeanor.

EFFECTIVE DATE. This Ordinance shall be in effect from and after its passage and approval by the affirmative vote of a majority of the City Council and publication as required by law.

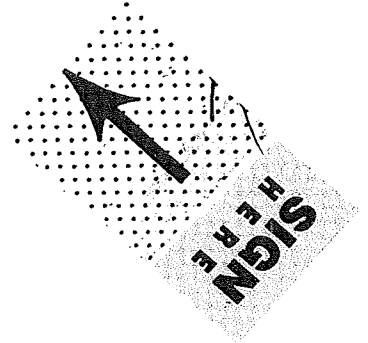
Passed and adopted by the City Council of the City of St. Mary's Point, Washington County, Minnesota this 1st day of August, 2023.

CITY OF ST. MARY'S POINT

By _____
Jay Roettger, Mayor

Attest:


Cindie Reiter
City Clerk



ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE STILLWATER CITY CODE BY ENACTING
STILLWATER CITY CODE CHAPTER 52-23,
PROHIBITING CANNABIS USE WITHIN PUBLIC PROPERTY AND PUBLIC PLACES**

The City Council of Stillwater does ordain:

SECTION 1 ENACTMENT. Stillwater City Code Chapter 52-23 is hereby enacted as followed:

Sec. 52-23 – CANNABIS USE WITHIN PUBLIC PROPERTY AND PUBLIC PLACES

Subd. 1. *Definitions*

Public place means property that is generally open to or accessible by the public, except on those premises licensed by the State of Minnesota to permit on-site consumption.

Public property means property, real and personal, that is owned, managed, or controlled by the City, including, but not limited to: City buildings and all the land thereon, parking lots, parks, golf courses, pathways and trails, and city rights-of-way consisting of both the traveled portion and the abutting boulevard, sidewalks and trails, and any City personal property, such as motor vehicles, city equipment, and the like.

Cannabis flower, cannabis products, lower-potency hemp edibles, and hemp derived consumer products shall have the meanings as defined in Minn. Stat. §342.01 (enacted under Minnesota Laws 2023).

Subd. 2. *Prohibition.* No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products within public property or in a public place.

Subd. 3. *Penalty.* A violation of this Section is a petty misdemeanor.

SECTION 2 SUMMARY PUBLICATION. Pursuant to Minn. Stat. § 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The City is prohibiting the use of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products within public property or in a public space. A violation of this Section is a petty misdemeanor.

SECTION 3 EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of Stillwater this ___ day of _____, 2023.

CITY OF STILLWATER

Ted Kozlowski, Mayor

ATTEST:

Beth Wolf, City Clerk

City of Afton
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Meeting Date Oct. 30, 2023

Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: October 25, 2023

Re: Town Square Park Ice Rink for Winter 2023/2024

Last winter, the Council approved the purchase of the materials for an ice rink at Town Square Park, subject to the availability of volunteers to install and maintain the rink. A number of volunteers, including members of the Parks Committee and other residents, installed and maintained the rink. The rink materials are being stored at the Public Works garage. The rink can be re-installed and maintained similar to last year if volunteers are available. Staff is requesting direction from the Council regarding the re-installation and if any changes should be made for the coming winter season.

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Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: October 25, 2023

Re: Condition and Capacity of Private Driveway Bridges and Large Culverts

In Afton, there are numerous long driveways, some of which have large culverts or bridges where the driveway crosses a ravine or similar feature. The Fire Department has expressed concern about the condition and capacity of these bridges and culverts in terms of their ability to carry the weight of a fire engine or water tanker. The Fire Department is concerned both about the safety of their firefighters and fire vehicles and about their ability to access a property in a timely manner during an emergency.

To address these concerns, the bridges and large culverts first need to be identified and then inspected. The number and locations of the bridges and large culverts is unknown at this time. A process is needed to identify the bridges and culverts that could have a capacity/condition problem. An article in the City Newsletter could be used to request that residents notify the City if they have bridges or large culverts. The Fire Department also is aware of at least some of the bridges and culverts. The building inspector may also be aware of bridges and culverts on private driveways. Once the bridges and culverts have been identified, they will need to be inspected to determine if they have sufficient load capacity. Staff has requested advice from the City Engineer regarding options for inspecting the bridges and culverts, and will provide that information at the work session.

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Council Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: October 25, 2023

Re: City Administrator Updates

The City Administrator will provide updates regarding any new information related to projects, needs, etc.