



# August 2021

3033 St. Croix Trail South  
P.O. Box 219  
Afton, MN 55001

## City of Afton Dashboard A Summary of Current Happenings

- ◆ Correction to last month's dashboard: The area where staff discovered the tree girdling incident was located in the Perrot Avenue right-of-way on the steep slope between Pennington Avenue and St. Croix Trail near 32nd and 33rd streets and not the area directly west of Town Square Park.
- ◆ A resident has offered a reward of \$1,000 for information leading to the arrest of the person who was responsible for the tree girdling incident described above.
- ◆ The City of Afton has settled the Afton House lawsuit and the associated dispute dating back to 2015. This long standing and difficult issue concerns the value of an easement taken by the city for the Downtown Improvement Project. While a jury awarded the Afton House \$805,000 plus \$263,000 for attorney and appraisal fees and other expenses, the City Council has agreed to pay the Afton House \$850,000 to settle the lawsuit and avoid mounting legal fees. The council is looking for methods to cover this cost.
- ◆ FEMA has completed the Letter of Map Revision (LOMR) removing the Old Village from the flood plain maps. The LOMR has been published in the City's official newspaper, the St. Paul Pioneer Press, on July 14<sup>th</sup> and July 21<sup>st</sup>. After that period a 90-day comment period will start and then upon completion (mid November) the LOMR will be official, and the lengthy process will be completed.
- ◆ The city has received approximately \$90,000 from the MN All Cities Assistance Account to be directed to road work.
- ◆ The 2021 Road Improvement Project came in under budget by approximately \$125,000.
- ◆ Now that the 2021 Road Improvement Project has been completed there will be no further major road projects for roughly three years.
- ◆ The City Council has adopted an ordinance amendment that requires all tree service companies to be licensed to work in Afton. Upon registration, a list of tree removal rules will be presented to them.
- ◆ An amendment to the city's trapping ordinance was passed adding the VHS district (Old Village) to the areas where trapping is prohibited.
- ◆ An ordinance amendment was passed defining cooperative commercial warehousing as an allowed business type in the Industrial Zone.
- ◆ A revised plan for the third solar farm which had been proposed for the Afton Business Park was presented at the July council meeting. The revised plan was not approved due to tree removal and slope issues.
- ◆ A pandemic-related variance was approved for a resident on Valley Creek Road to enable a nonconforming house and parcel to remain separately buildable and sellable, although the house had been vacant for over one year which rendered it abandoned and no longer legally nonconforming per ordinance.

- SAR

## CITY MEETINGS

**August 2, 2021**

Planning Commission Meeting  
7:00 P.M. (In-Person)

**August 17, 2021**

City Council Meeting  
7:00 P.M. (In-Person)

**August 25, 2021**

Parks Committee Meeting  
6:00 P.M. (In-Person)

**August 30, 2021**

Planning Commission Meeting  
7:00 P.M. (In-Person)

Public Participation Via Zoom Will Continue to be Available for City Council Meetings. Information on how to join the meetings will be posted on the City website along with the agenda and meeting packet.

## CITY COUNCIL

Mayor: Bill Palmquist 651-308-0569  
Ward 1: Annie Perkins 651-592-3007  
Ward 2: Lucia Wroblewski 651-436-3982  
Ward 3: Stan Ross 612-720-6478  
Ward 4: Randy Nelson 651-436-2479

## CITY HALL

651-436-5090

## CITY WEBSITE

[www.ci.afton.mn.us](http://www.ci.afton.mn.us)

## IMPORTANT NUMBERS

Animal Control 715-220-1332  
Building Inspector 651-436-6469  
Burning Permits 651-248-5103  
Environmental Center 651-275-7475  
Highland Sanitation 651-458-0043  
Otter Lake Animal Care 651-426-8871  
Fire Dept 651-436-7033  
Sheriff's Dept 651-439-9381

**EMERGENCY 911**

## Notes from the Mayor

As is noted on the front of the newsletter, the city has settled the legal matter with the Afton House Inn, as well as with two other properties, related to the acquisition of easements needed for the downtown improvement project. In the case of the Myhers and MAGK properties, settlements were reached without the need to obtain a commissioners' award. Full details on those settlements will be provided at a later date.

In the case of the Afton House Inn, as has been reported in the St. Paul Pioneer Press, the City Council is in the final stages of resolving the easement acquisition process through a settlement agreement. We reached a settlement after going through a commissioners' hearing and a subsequent appeal to a jury trial. Although there were matters of law upon which we felt confident in going to appeal and seeking a new trial, what became obvious to the council was that the only people who would benefit from that were the lawyers. So the council determined it was best to work with the Afton House to reach a settlement to put this behind us and move forward. I am glad we were able to get that accomplished.

I want to take a moment to go over how we got to this point. In the newspaper article, nothing was shared about the process for this, and it could appear the city on its own came up with the value for the easement that was presented back in 2015. That is not the case. The city obtained independent appraisals for all the properties where easements were needed for the construction of the levee to get this area out of the flood plain and to install the piping for the wastewater treatment system. Not only is this the proper way to do this, the independent appraiser ensures unbiased treatment for all property owners and assures residents the city is not paying too much or too little for the required easements. These easements were located mainly near the existing levee that was built during flood conditions decades ago. The independent appraisal provided to the city for the Afton House easements was \$105,000. Because an agreement could not be reached between the Afton House Inn and the City regarding the value of the easements, the value was determined by three court-appointed commissioners. Those commissioners awarded a value of \$517,800 in May of 2019. The city's subsequent appeal of the award to district Court resulted in a jury award of \$805,000 plus expenses that totaled an additional \$264,000. As I mentioned, there were matters of law that arose in the course of the case, and the city began the appeals process almost immediately to ask for a new trial. But as I also mentioned, the estimates of the costs to continue to pursue the case made it increasingly unlikely that even if the city prevailed, the actual costs would be lowered to any significant degree. Therefore, a settlement was reached, agreeing to a total of \$850,000. We are working with our partners in this project on funding this settlement. We fully expect to receive significant funding to help the city cover these additional project costs. We will provide updates on those efforts as we have them but have already secured additional funding from the DNR.

I have been asked why we did not just settle the case before the trial and the appeals. We are a small city with only one full-time staff person, but we took our responsibility very seriously to ensure we fairly compensated the property owners, while also being able to assure the taxpayers they were paying the fair price for these easements. The city is not separate from the community. The city is all of us who live here, own businesses here, and pay taxes here. That is why the city worked hard to ensure the independence of the professional appraisers during that valuation process from the very beginning. Given the incredible difference between the independent appraisal given to the city and that initial award, and in consultation with attorneys familiar with this type of law, it was determined that an appeal was necessary.

But what I don't want us to lose sight of are the incredible benefits this project created. Not just environmental, but historic preservation and economic stability for our commercial district. The St. Croix River is cleaner, with 2,500 less pounds of Biological Oxygen Demand units (BODs) entering the river every single year. These properties are now out of the flood plain and out from under the limits on reinvestment that come with it, as well as the high-cost of flood insurance. The long-term future of our historic commercial district is secure. These are the things I hope we can get back to celebrating and building upon.

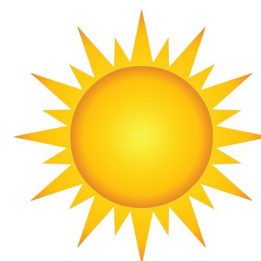
-Bill

### **Parks Committee Seeks Members**

The Parks Committee is seeking volunteer residents who have an interest in identifying and reviewing issues relating to parks and open spaces and assessing and recommending such plans to City Council.

The committee meets, when needed, the 3rd Thursday of the month.

**Applications available on city website.**



## Meeting Highlights

### June 28, 2021 Planning Commission Meeting

#### **The Commission:**

- Held a public hearing for a Variance Request for a property at 14040 Valley Creek Trail.
- Held a public hearing for a Draft Ordinance Amendment regarding storage uses in the II-C Industrial zone.

### July 20, 2021 City Council Meeting

#### **The Council:**

- Denied a Conditional Use Permit (CUP) application for one solar farm located in the Afton Business Park.
- Approved a Variance Request for a property at 14040 Valley Creek Trail.
- Approved an Ordinance Amendment defining Cooperative Commercial Warehousing as an allowed type of Warehousing.
- Accepted the donation of a park bench and trees from Rick & Joan Meierotto to be placed near the pollinator garden along the bike trail.
- Approved an Ordinance Amendment to Prohibit Trapping in the VHS District.
- Approved an Ordinance Amendment to add a Commercial Tress Service Licensing requirement.

MEETING PACKETS, VIDEOS AND APPROVED MEETING MINUTES ARE AVAILABLE AT:  
[www.ci.afton.mn.us](http://www.ci.afton.mn.us)

## Formation of Ag Preservation Committee

This month, the Mayor and City Council approved the formation of an Ag Preservation Committee for the purpose of supporting and preserving the continuation of sustainable agriculture in our community.

Afton's rural character and low density is linked in large part to our historic agricultural roots. In Afton's Comprehensive Plan, encouraging agricultural uses, maintaining open spaces, and promoting wise land stewardship are among the top five land use goals for our city. In many respects our residents regard agriculture and open space as the highest and best use of the land.

With all this in mind, we are seeking citizen volunteers with Ag experience to form such a committee. The vision is that it would be different from other committees that meet monthly or as needed on an ongoing basis, in that the Ag Preservation committee would likely meet for say six months as a group for the purpose of putting together a report that will assist our elected officials in supporting, identifying, establishing, promoting and preserving sustainable Agriculture in Afton in perpetuity.

As with many things in Afton, our unique environment, location, character, low density, and high land values are huge assets but they come with unique challenges as well as opportunities. Our Ag lands and operations are intricately connected to all of these. To retain our rural character and preserve Agriculture and natural open space in Afton we need to plan for the future of Ag and open space in our community. This committee will help our elected officials do that.

We are hoping that all the diverse Ag partners in our community will be represented in this committee to provide us with the most up to date and complete report. Along with our traditional farmers, Afton Ag includes Hmong farmers, CSA's, viticulture (vineyard) operators, hobby farmers, and likely other types of farmers that many of us aren't even aware of but who we are interested in hearing about and learning from.

The committee's work will help guide elected officials to plan and preserve the future of Ag and open spaces in our community. If you are interested in, or may be interested in, serving on the Ag Preservation Committee, please send an email to Jenny at [officeasst@ci.afton.mn.us](mailto:officeasst@ci.afton.mn.us) or call 651-436-5090. Please also watch for more information in future Newsletters.

## Belwin Conservancy Upcoming Events

### Saturdays August 7, 14, 21, 28 2021

#### **Summer Saturdays at the Education Center**

8:00 a.m.—4:00 p.m.

Venture through woodland, prairie and wetlands on 4 miles of trails at the Belwin Education Center. Face masks are required to enter the building, which will be open for check in, directions and restrooms.

### Saturday & Sunday August 14 & 15, 2021

#### **Music in the Trees**

11:00 a.m. —3:00 p.m.

\$10/car. Open to everyone.

We are bringing back this magical two-day event! With adaptations for COVID-19, audiences will enjoy artist performances in the trees near Belwin's Education Center. On Sunday, August 15, there will be a special performance by Center for Hmong Arts and Talent (CHAT).

This activity is made possible by the voters of Minnesota through grants from the Minnesota State Arts Board and the Metropolitan Regional Arts Council, thanks to a legislative appropriation from the arts and cultural heritage fund. Music in the Trees also received funding from the St. Croix Valley Foundation.

[belwin.org/event/music-in-the-trees/](http://belwin.org/event/music-in-the-trees/)

**Belwin Conservancy**  
**1553 Stagecoach Trail South**  
**Afton MN 55001**  
**651-436-5189**  
[www.belwin.org](http://www.belwin.org)

## BE A BATTERY HERO

Put batteries in their place.

Batteries can start fires if placed in the curbside trash or recycling. Additionally, some batteries are hazardous because they contain mercury, lead, cadmium, or silver. These metals are toxic and hazardous to the environment. It is illegal to put vehicle batteries and rechargeable batteries in the trash.

Remember: Anything that makes sounds, lights up, or turns on without being plugged in contains a battery.

With so many different kinds of batteries, it can be confusing to know how to dispose of batteries correctly. Washington County Environmental Center accepts ALL batteries for free recycling, including rechargeable, button, and alkaline batteries.

**WASHINGTON COUNTY  
 ENVIRONMENTAL CENTER**  
**4039 Cottage Grove Drive**  
**Woodbury, MN 55129**  
 651-275-7475



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AFTON, MN 55001



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### Valley Library

#### Find Summer Events, Activities, and Storytimes at Valley Library

Valley Library is offering a variety of indoor, outdoor, and virtual programs for all ages this summer! In accordance with state guidelines, masks are not required at the library but are encouraged for those who are not fully vaccinated.

Check the library website for information on reading activities, library programs, and current hours.

**Valley Branch Library**  
384 St Croix Trail S  
Lakeland, MN 55043  
651-436-5882  
[www.washcolib.org](http://www.washcolib.org)

**PATRON  
AFTON, MN 55001**

You may view this newsletter

**INCOLOR**  
on the city website.



*Please recycle this newsletter after use.*

### The Brush Day Schedule for the Remaining 2021 Season is as follows:

August 14th  
September 18th  
October 16th

HOURS OF DUMPING ARE: 8 am - 10:50 am (THE GATE WILL BE SHUT AND LOCKED AT 11:00 AM).

Aggregate Industries only accepts brush, no commercial dumping.

Those who bring brush onto the site will need to stay in their vehicles, except when dumping at the designated dump site.

FOLLOW ALL SIGNS AND DIRECTIONS.

**16164 Hudson Blvd N  
Lakeland, MN 55043**



## FIELD OF BANDS

In Memory of Randy Kopesky

September 18, 2021 12N-8:00PM

**FUNDRAISER TO BENEFIT SERVICEMEMBERS, VETERANS and THEIR FAMILIES**



Anderson Daniels



WAYWARD BOYZ KLUB  
[www.waywardboyzklub.com](http://www.waywardboyzklub.com)

Wayward Boyz Klub



[westsideband.com](http://westsideband.com)

**WASHINGTON COUNTY FAIRGROUNDS**

**Rain or Shine!**

**Will be moved indoors if it rains!**

**FOOD TRUCKS** 

**Bring your Lawn Chair**

Tickets available at [5cityyellowribbon.com](http://5cityyellowribbon.com)

\$20 in advance; \$30 day of show

More information on FACEBOOK

Yellow Ribbon Alliance Lower St.Croix Valley (YRALSCV)

