

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
APRIL 4, 2011
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of April 4, 2011 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Susan St. Ores, Councilmembers Connie Carlson, Michele Hanson, and Mark Ostertag

Members Absent: None

Others Present: Administrator Mitch Berg, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Engineer Barry Peters, Assistant City Administrator/ Planner Sara Taylor, Attorney Nick Vivian

APPROVAL OF AGENDA

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to approve the April 4, 2011 City Council agenda. Motion carried 4-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. The March recycling award recipient is James Milliken, who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
2. In response to a resident's comments made at the March 7, 2011 meeting, Mayor St. Ores commented on the city's budget process and noted that City Council budget workshops are open to the public. She also reported the city's annual audit report has consistently shown there have been no misappropriated funds.

OPEN FORUM

1. Aaron Prichard, Club Manager for the American Legion located at 263 3rd Street North, requested that the city's temporary sign permit process and fees be reviewed.
2. Jeremy Payne, 848 6th Street North, would like the city to better utilize and augment the tax stabilization fund as a means to stabilize and/or decrease the city's tax burden on its residents and businesses. He encouraged the City Council to explore the creation of a citizen's budget advisory committee.

CONSENT AGENDA

Mayor St. Ores read items 1-13 on the consent agenda.

1. March 7, 2011 workshop meeting minutes
2. March 7, 2011 City Council regular meeting minutes
3. March payables and receipts (check numbers 133028-133132)
4. March building, plumbing and mechanical permit report
5. Temporary liquor license for Bayport Marina on May 7, 2011
6. Special event application from the Bayport American Legion for the Memorial Day Parade on May 30, 2011
7. Special event application from Anderson Race Management for a relay event on August 20, 2011
8. Accept donation from Traffic Control Corporation for Police Department vests

9. Request to purchase weapons for the Police Department
10. Special event application from Capistrant Parkinson Foundation for a fishing tournament on Saturday, September 10, 2011 at Lakeside Park
11. Special event application from BCAL for an ice cream social on Wednesday, June 15, 2011 at Lakeside Park
12. Special event application from Andersen Corporation for a picnic on Saturday, August 13, 2011 at Lakeside Park
13. Accept \$100.00 donation from Bayport Printing and \$50.00 donation from residents Richard Voorhees and Teresa Van Son for the city's newsletter

Councilmember Ostertag introduced the following resolution and moved its adoption:

Resolution 11-14

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS 1-13 FROM THE
APRIL 4, 2011 CITY COUNCIL AGENDA**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Carlson and upon roll call being taken, the following voted via voice:

Susan St. Ores – aye	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye

RIVERFRONT ADVISORY COMMISSION REPORT

Administrator Berg provided an update on the March 29, 2011 public information open house. Information shared at the open house is available on the city's website, and residents are encouraged to provide written comments to Administrator Berg regarding the commission's goals and objectives, no later than April 18, 2011. The public input will be summarized and it is anticipated that the commission will present its final report at the May or June City Council meeting.

COUNCIL LIAISON REPORTS

Councilmember Hanson stated the Planning Commission did not meet in March.

Councilmember Ostertag reviewed the Lower St. Croix Management Partnership meeting held March 30, 2011. Land use reviews included Brian Zeller's Greystone Commercial and Group 41/Bayport Marina/Waterford on the St. Croix in Bayport.

Councilmember Ostertag reported the Cable Commission did not meet.

Councilmember Carlson reviewed the Library Board meeting of March 24, 2011. Items discussed were transition planning for the Library Director's retirement, amending the meeting room policy to include credit card payments, and gauging interest in a teen area at the library. The Heart of the Beast Puppet and Mask Theatre will be presenting at the library during story hour on April 12, 2011, at 11:00 a.m. The next meeting is scheduled for Thursday, April 28, 2011, at 6:00 p.m. at the library.

Mayor St. Ores reviewed the March 10, 2011 meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). A cost-share project along Perro Creek on the Stillwater Prison grounds was approved. The project will add native vegetation that will absorb phosphorous and prevent it from entering the creek. (Phosphorous is a byproduct of goose droppings.) Beginning April 8, 2011, private land owners with native woodlands along the St. Croix River can apply for a cost-share grant to manage invasive vegetation, e.g., buckthorn, by contacting the Washington County Conservation District or City Hall. The next meeting is scheduled for Thursday, April 14, 2011, 7:00 p.m., at the Valley Ridge Mall.

PUBLIC HEARINGS - None

UNFINISHED BUSINESS - None

NEW BUSINESS

Consider an amendment to Chapter 24, Cemeteries, of the Bayport City Code of Ordinances:

Administrator Berg reviewed a text amendment that would allow headstones up to 48 inches in length for a double grave (current code allows up to 42 inches). This change would provide consistency with existing headstones, as well as allow for standard monument dimensions.

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #827

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AMENDING CHAPTER 24 – CEMETERIES, OF THE BAYPORT CITY CODE RELATED TO
HEADSTONE DIMENSIONS**

The motion for adopting the foregoing ordinance was duly seconded by Councilmember Hanson and upon roll call being taken, the following voted via voice:

Susan St. Ores – aye	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye

Consider an appointment to the City Council to fill a vacancy: Mayor St. Ores stated that residents Dan Goldston and Judy Johnson have applied to fill a vacancy on the City Council, due to Judy Seeberger’s resignation. A third resident, Brad Hallett, withdrew his application. Each applicant was asked to explain their interest in serving on the City Council.

Judy Johnson, 503 5th Street North, stated she has lived in Bayport for 12 years and has many years of local government experience working as staff in both city and county government, and currently working with the Stillwater Area School District. She believes her work experience and qualifications make her a good candidate to represent the citizens of Bayport. Judy stated she has no agenda for serving on the City Council, but rather is very interested in the position and serving the residents. She is interested in promoting the Yellow Ribbon campaign and believes she can be an asset during the budget process. She would like to see City Hall reopen on Fridays and suggested the city could realize substantial savings by going paperless.

Dan Goldston, 4 Point Road, has lived in Bayport for almost 11 years and currently serves on the Bayport Planning Commission and the Riverfront Advisory Commission. He would like the opportunity to expand and grow his commitment to serve the city and its residents. Dan indicated he has no agenda, but would like to provide input on city decisions and have more responsibility and commitment to his community. He would like to promote a renovation of the storefronts and businesses in the city, as well as grow small business opportunities. He believes the city could realize cost savings by negotiating the price of major equipment purchases and acknowledged city staff have done a good job at maintaining the level of services provided, despite prior budget cuts.

Both candidates indicated they could manage the time commitments of the position. Resident Jeremy Payne asked each candidate to comment on their interpretation of “accountability” and “transparency,” as it relates to the City Council position. Dan Goldston responded that he would be accountable for attending required meetings and to support the city and its residents. He stated he would be clear, open and honest, if appointed. Judy Johnson believes loyalty, honesty and fairness are keys to promoting

transparency in city government. She has shown accountability to local government through her 15 years of learning and hard work and will continue to be accountable to the residents of Bayport.

Councilmembers acknowledged that both applicants have strong qualifications and would be good representatives on the City Council. Mayor St. Ores believes Judy's skill sets are similar to those already in place with the city's paid administrative staff and recognized Dan's project management and business skills. Councilmembers also acknowledged Dan's commitment to, and experience with, Bayport city government through his years of service on the Planning Commission and Riverfront Advisory Commission, attendance at City Council meetings, and his visible commitment to holding public office. Attorney Vivian noted that Dan would vacate his seat on the Planning Commission if appointed to the City Council.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 11-15

RESOLUTION TO FILL A VACANCY ON THE BAYPORT CITY COUNCIL

The motion for adopting the foregoing ordinance was duly seconded by Councilmember Ostertag and upon roll call being taken, the following voted via voice:

Susan St. Ores – aye	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye

Judy and Dan were thanked for their willingness to serve on the City Council, and Judy was encouraged to continue to participate on city boards and commissions and provide input on the budget process. Dan Goldston will be sworn in at the May 2, 2011 City Council meeting.

Consider a City Council orientation session for the Administration Department on May 2, 2011 at 5:00 p.m.: Administrator Berg noted the Administration Department is the last city department to be reviewed.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to schedule an Administration Department orientation session on Monday, May 2, 2011, 5:00 p.m., at City Hall. Motion carried.

COUNCIL ITEMS AND ANNOUNCEMENTS

1. Mayor St. Ores reminded residents that the Community Watch programs coordinated by the Bayport Police Department are open to the public and encouraged attendance at future sessions. Sessions are scheduled approximately every three months and meeting information is posted on the city's website.
2. Mayor St. Ores noted the next meeting of the Beyond the Yellow Ribbon group is scheduled for Thursday, April 7, 2011, 5:30 p.m., at the Baytown Community Center. She also noted that there will be a fund raising spaghetti dinner at the Bayport American Legion on Saturday, May 7, 2011, 5:00-7:00 p.m.
3. Councilmember Carlson stated Croixdale is hosting a free breakfast and Easter Bunny visit on Saturday, April 16, 2011, 9:00-10:30 a.m., and everyone is invited.
4. Councilmember Carlson indicated volunteers are being sought by the Let's Go Fishing organization to assist with boat rides/fishing experiences for area senior citizens, youth and veterans. Contact Councilmember Carlson if interested in learning more about this opportunity.

5. Councilmember Ostertag recognized and thanked individuals and companies who have recently provided donations to the city, especially Traffic Control Corporation for their ongoing support of the Fire and Police Departments. Mayor St. Ores recognized the donations received toward publication of the city newsletter.

CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS

1. Flood update: The St. Croix River crested at approximately 686 feet and a second, potentially higher crest, is expected on Monday, April 11, 2011. The preliminary crest level is predicted at 687.7 feet. Sand bags are still available, but city staff believes the need has decreased with the lower projected crest. City Hall phone lines will be answered between 8:00 a.m.-12:00 p.m. on Friday, April 8, 2011, to accommodate sand bag requests. However, residents are asked to submit their requests as soon as possible because Public Works staff will not be delivering on the weekend, unless there is an anticipated increase in the crest projections.
2. Canine award: Police Chief Eastman was asked to provide information on an award received by the department's canine unit. K-9 handler, Officer Jay Jackson, and Keylo recently attended the United States Police Canine Association's certification for narcotics detection. Officer Jackson and Keylo placed second out of 40 units participating in a competition associated with the certification process.
3. Andersen Elementary sand bagging effort: Andersen Elementary students were recognized for filling over 1,000 sand bags last week. Public Works staff was thanked for their assistance in coordinating supplies and transferring the finished bags.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adjourn the meeting at 7:11 p.m. Motion carried 4-0.

City Administrator/Clerk