

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 3, 2012  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of January 3, 2012 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, Dan Goldston, 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 Administrator/Planner Sara Taylor, and Attorney Andy Pratt

**APPROVAL OF AGENDA**

Administrator Berg requested the addition of a Letter of Commendation to Bayport Police Office Jay Jackson in the Proclamations/Commendations/Petitions section.

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to approve the January 3, 2012 agenda with the addition noted above. Motion carried 5-0.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. The December recycling award recipient is Richard Kranz who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
2. Police Chief Eastman presented a Letter of Commendation to Officer Jay Jackson for his highly professional response to a dangerous domestic situation on November 28, 2011.

**OPEN FORUM - None**

**CONSENT AGENDA**

Mayor St. Ores read items 1-7 on the consent agenda.

1. December 5, 2011 City Council regular meeting minutes
2. December payables and receipts (check numbers 1133958-1134060)
3. December building, plumbing and mechanical permits report
4. PERA declaration for part-time police officer John Miller (*Resolution 12-01A*)
5. Pay Equity Report for the State of Minnesota Department of Employee Relations
6. Joint powers agreement with Washington County Sheriff's Office to purchase fuel for the Police Department
7. Donation of a projector screen valued at \$50.00 from an anonymous donor

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 12-01**

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-7 FROM THE  
JANUARY 3, 2012 CITY COUNCIL AGENDA**

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

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

### **SWEARING IN OF POLICE OFFICER JOHN MILLER**

Mayor St. Ores administered the oath of office to Bayport Police Officer John Miller.

### **PUBLIC HEARINGS - None**

### **COUNCIL LIAISON REPORTS**

Councilmember Hanson reported the Planning Commission made a recommendation on a conditional use permit at their December 19, 2011 meeting, and the item will be considered by the City Council later in tonight's meeting.

Mayor St. Ores reported the December 8, 2011 meeting of the Middle St. Croix Watershed Management Organization (MSCWMO) focused on a review of 2011 projects. The next meeting is scheduled for Thursday, January 12, 2012, 7:00 p.m., at the Valley Ridge Mall.

Mayor St. Ores reported the Community Symposium panel would be meeting on Tuesday, January 11, 2012. She also reported the Middle St. Croix Alliance, Washington County Commissioner Gary Kriesel, and the Washington County Department of Transportation worked collaboratively to install a 4-way stop sign at County Road 21 and Hudson Road, after a fatal accident at the intersection last fall.

Councilmember Carlson reviewed the December 29, 2011 meeting of the Bayport Library Board. A Human Resources Committee is being formed, and a recommendation for a new board member was made. Outgoing library director Kathy MacDonald and long-time board member Joe Reding were recognized for their years of dedicated service to the library, and new director Mark Blando was welcomed. The next meeting of the Library Board is scheduled for Thursday, January 19, 2012, 6:00 p.m., at the library, and is open to the public.

### **UNFINISHED BUSINESS**

Consider an appointment to the Planning Commission: Assistant Administrator/Planner Taylor reported staff is recommending the appointment of Jeff Richtman to fill the vacancy on the Planning Commission upon Pam Hoye's decision not to seek reappointment when her term expired on December 31, 2011. Pam Hoye was recognized and thanked for her service.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to appoint Jeff Richtman to a three-year term to the Bayport Planning Commission, effective January 1, 2012 - December 31, 2014. Motion carried 5-0.

Consider an appointment to the Library Board: Administrator Berg stated three people applied for the Library Board position and applicant interviews were held December 29<sup>th</sup>. The Library Board and staff are recommending James Eberhardt be appointed to fill the vacancy left by Joe Reding. Mayor St. Ores recognized Joe Reding for his many years of service and noted he would continue his involvement with the library as a member of the library's foundation board of directors.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to appoint James Eberhardt to the Library Board, effective January 1, 2012 – December 31, 2014. Motion carried 5-0.

## **NEW BUSINESS**

Consider a conditional use permit (CUP) to allow a seasonal lawn care and snow removal business at 204 2<sup>nd</sup> Avenue South: Assistant Administrator/Planner Taylor reviewed the CUP application that would allow a new business to operate at this property in the B-1 Limited Business zoning district. The applicants are in the process of purchasing the property for their lawn care/snow removal business, and a CUP is required that specifies the conditions under which the proposed use is permitted. The applicants have agreed to make repairs, as outlined in the staff report, and understand additional improvements relating to the septic system may be required depending upon the results of a required septic system inspection. The Planning Commission held the required public hearing at their December 19, 2011 meeting and recommended approval of the application, subject to the stated conditions of approval. Staff believes the proposed use would be compatible with the area and recommended approval. Planner Taylor indicated staff would be addressing property condition issues with the current owner if the pending sale does not occur, as anticipated.

Councilmember Hanson introduced the following resolution and moved its adoption:

### **Resolution 12-02**

#### **RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A SEASONAL LAWN CARE AND SNOW REMOVAL BUSINESS AT 204 2<sup>ND</sup> AVENUE SOUTH**

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

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

Consider the installation of a city salt/sand storage structure: Administrator Berg reviewed the city's recommendation to build a new salt/sand structure, noting the city has been budgeting for this item since 2007, with \$50,000.00-\$60,000.00 budgeted annually for the project in the Capital Improvement Plan. Staff reviewed a variety of structures for the project and is recommending a 40' x 30' x 20', corrugated metal, three-sided storage structure to be placed in the northeast corner of the Public Works parking lot. The building would be constructed around the existing outdoor block bins. Two quotes were reviewed, and staff recommended awarding the project to Sunnyside Construction and Concrete, Inc., at a cost not to exceed \$20,000.00. Staff further requested that the \$25,000.00 budgeted in 2011 for this project be carried over to 2012. He suggested screening the structure with evergreen trees and recommended adding an additional \$3,000.00 to the project for this purpose. Public Works Supervisor Horak explained the current outdoor storage system and the safety concerns with this system. Mayor St. Ores expressed concern with the building components and her desire to ensure the building contents would not corrode the interior. Staff indicated that the city is requiring engineered plans for the structure, with certification that it is suitable for salt/sand storage. Discussion followed on the benefits of adding a door and/or gate to the structure initially versus adding at a later date, for security and aesthetic purposes. Councilmember Ostertag questioned whether the building could be utilized in another capacity if the city outsources salting/sanding of city streets, and Administrator Berg noted the building could be easily converted for alternate uses. City Engineer Peters believes the building would not be subject to flooding, and Supervisor Horak indicated there would be a minimal amount of product in the building at the time of spring flooding. The general consensus was to move forward with the project and have staff provide comparative pricing for a door/gate enclosure, as well as landscape options, for consideration at a future meeting.

It was moved by Councilmember Goldston and seconded by Councilmember Carlson to approve the funding for installation and materials for a salt/sand storage structure adjacent to the Public Works building with a quote from Sunnyside Construction & Concrete, Inc., with further consideration of pricing options for installation of a door or gate enclosure, for a total cost not to exceed \$25,000. Motion carried 5-0.

Consider an amendment to the city's investment policy: Administrator Berg reviewed an amendment to the city's investment policy that was last revised approximately 10 years ago. Staff utilized numerous resources to update the policy that now conforms to Minnesota State Statute 118A.

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to adopt the amendments to the city's investment policy as presented. Motion carried 5-0.

Consider adopting a general fund balance policy and a fund balance classification policy: Administrator Berg reviewed the recommendation from the city's auditor to adopt a new general fund balance policy and a fund classification policy to comply with Government Accounting Standards Board (GASB) 54 requirements. Staff was unaware of the requirement to have these policies in place prior to the end of 2011, and at this time, is requesting both policies be adopted retroactive to December 31, 2011.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to adopt the general fund balance policy and fund classification policy, retroactive to December 31, 2011. Motion carried 5-0.

#### **COUNCIL ITEMS AND ANNOUNCEMENTS**

1. Mayor St. Ores thanked the anonymous person who donated a projector screen to the city.
2. Mayor St. Ores reported that the Police Department's Citizen's Academy scheduled for this coming weekend has been cancelled due to lack of participation and will be rescheduled in the future.

#### **CITY ADMINISTRATOR ITEMS AND ANNOUNCEMENTS**

1. A special City Council meeting has been scheduled on Monday, January 23, 2012, at 5:00 p.m. to discuss the outcomes of the Public Works and Administration Department organizational reviews and may also include a closed session to discuss labor negotiation strategies.
2. A City Council workshop has been scheduled on Monday, February 6, 2012, at 4:45 p.m. The purpose of the workshop will be to discuss possible downtown improvement projects and recommendations made by the Riverfront Advisory Commission.
3. Despite the best efforts of the Public Works staff, there is no definite timeframe for the skating rinks to be usable, due to the unusually warm weather this winter.

#### **ADJOURNMENT**

It was moved by Councilmember Goldston and seconded by Councilmember Hanson to adjourn the meeting at 6:50 p.m. Motion carried 5-0.

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City Administrator/Clerk