

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
DECEMBER 5, 2011
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of December 5, 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, Dan Goldston, Michele Hanson and Mark Ostertag

Members Absent: None

Others Present: Administrator Mitch Berg, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Library Director Kathy MacDonald/Mark Blando, Wanda Madsen, Finance Officer, Engineer Barry Peters, Assistant Administrator/Planner Sara Taylor, and Attorney Andy Pratt

APPROVAL OF AGENDA

Administrator Berg requested the addition of *Railing payment for 6th Street North Sidewalk Project* to the consent agenda.

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to approve the December 5, 2011 agenda with the addition noted above. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. Kathy MacDonald, Library Director, was recognized with a plaque and thanked for her 30 years of service to the Bayport Public Library, as she retires at the end of the year. Mark Blando was introduced and welcomed as the new director.
2. The November recycling award recipients are Micah and Holly Schroeder who will receive \$30.00 for their recycling efforts, with funding made possible by a grant from Washington County.
3. Residents were invited to attend the Lighting of the Village Green on Wednesday, December 7 beginning at 6:00 p.m. at the library with a story hour and a meet and greet event for the new library director.
4. The Bayport Police Department is sponsoring its annual Toys for Tots drive and items can be dropped off through December 18 at City Hall, Bayport Public Library, Holiday Station, and the First State Bank and Trust.
5. Reservations are open for individuals interested in participating in the Police Department two-day Citizen's Academy January 7 and 8, 2012.

OPEN FORUM - None

CONSENT AGENDA

Mayor St. Ores read items 1-20 on the revised consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-39

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-20 FROM THE
DECEMBER 5, 2011 CITY COUNCIL AGENDA**

1. November 7, 2011 City Council regular meeting minutes
2. November 21, 2011 special City Council meeting minutes
3. November payables and receipts (check numbers 1133859-1133957)
4. November building, plumbing and mechanical permits report
5. Non-union employee holidays for 2012
6. Renewal of safety consulting and training services for city employees
7. Liquor and tobacco license renewals for 2012
8. Fire protection and rescue service contracts
9. Compensation/pay plan adjustments for 2012
10. Hiring of John Miller as a part-time police officer
11. Purchase of new audio equipment for City Council chambers
12. Fund transfer from municipal buildings to library for HVAC replacement
13. Final payment application from Miller Excavating for Barker's Alps Park Improvements
14. Commercial refuse hauling license renewals for 2012
15. Budgeted fund transfers for 2011
16. Authorization to obtain a rewards credit card for city purchases
17. Donation of a Bur Oak tree from Phil and Susan St. Ores for city use
18. Donation of \$25.00 to Police Department from Jeff and Donna Todd
19. Donation of a fire ring for city use from an anonymous resident
20. Railing payment for 6th Street North Sidewalk Project

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	

PUBLIC HEARINGS

Certification of past due refuse bills and delinquent vacant registration fees to 2011 property taxes:

Mayor St. Ores opened the public hearing and no comment was given.

It was moved by Councilmember Goldston and seconded by Councilmember Carlson to close the public hearing. Motion carried.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to accept staff's recommendation to levy the presented lists of refuse billings and vacant building registration fees to Washington County for assessment to the 2011 property taxes. Motion carried.

PUBLIC INPUT [TRUTH IN TAXATION] ON 2012 CITY BUDGET AND LEVY

Administrator Berg provided an overview of the final proposed budget, including the budgeting process. He indicated the proposed 2012 tax levy of \$1,135,559.30 is an increase of 1.95% from the 2011 levy. He noted that eight of the city's capital fund accounts were consolidated into the general fund, upon recommendation of the city's auditor. The budget will result in a less than 2% increase in the property tax levy.

Public input on 2012 city budget and levy: Mayor St. Ores opened the floor for public input and none was heard.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to close the public input session. Motion carried 5-0.

Administrator Berg stated he spoke with one property owner about the city's levy as it would impact their property taxes. Mayor St. Ores reviewed the reasons the City Council decided to propose an increase in the tax levy and indicated councilmembers discussed in detail the need for a levy increase during the budget workshops.

Discuss and consider a resolution adopting the 2012 tax levy:

Councilmember Ostertag introduced the following resolution and moved its adoption:

Resolution 11-40

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
CERTIFYING THE CITY OF BAYPORT'S LEVY TO WASHINGTON COUNTY FOR THE
YEAR 2012 BUDGET AT \$1,135,559.30**

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
Dan Goldston – aye	

Discuss and consider a resolution adopting the 2012 budget:

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 11-41

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING BUDGETS FOR THE GENERAL FUND, SPECIAL LIBRARY FUND, DRUG
FORFEITURE FUND, WATER FUND, SEWER FUND, TRUNK WATER AND TRUNK
SEWER UTILITY CAPITAL IMPROVEMENT FUND, TAX STABILIZATION FUND,
RESTRICTED INVESTMENT FUND, AND PARK IMPROVEMENT FUND
FOR THE YEAR 2012**

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	

Discuss and consider a resolution adopting the 2012-2016 capital improvement plan (CIP):

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-42

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR 2012 THROUGH 2016**

The motion for adopting the foregoing resolution 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
Dan Goldston – aye	

COUNCIL LIAISON REPORTS

Councilmember Ostertag reviewed the Cable Commission budget meeting of November 30, 2011. The next meeting is scheduled for Wednesday, December 21, 2011, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Carlson reviewed the November 17, 2011 meeting of the Bayport Library Board. The Girls Night Out event raised over \$2,000.00. The next meeting of the Library Board is scheduled for December 29, 2011, 6:00 p.m., at the library.

Mayor St. Ores stated the next meeting of the Middle St. Croix Watershed Management Organization (MSCWMO) meeting is scheduled for Thursday, December 8, 2011, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Hanson stated that she was not able to attend the Planning Commission meeting on November 21, 2011, but the action recommended by the commission will be presented under new business.

Councilmember Goldston had no report as the November 30, 2011 Lower St. Croix Commission meeting was cancelled.

UNFINISHED BUSINESS - None

NEW BUSINESS

Consider an amendment to the city's Comprehensive Plan to comply with the Metropolitan Council's 2030 Policy Plan: Assistant Administrator/Planner Taylor reviewed proposed changes to the city's Comprehensive Plan to comply with recent revisions to the Metropolitan Council's Regional Parks Policy Plan as it relates to the proposed Middle St. Croix Valley Regional Trail Search Corridor. Minor text amendments and identification of the general alignment of the trail corridor on the *Parks, Existing and Proposed Trails, Sidewalks and Paths* map are recommended by staff. The Planning Commission held the required public hearing on November 21, 2011, and voted to recommend approval of the amendments, with the findings of fact noted by staff. Bayport's sector representative at the Metropolitan Council has given preliminary approval for the proposed amendments. Planner Taylor also noted the proposed trail search corridor is only being researched at this point but the Metropolitan Council is interested in connecting trails through Bayport to surrounding communities.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-43

RESOLUTION APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN TO COMPLY WITH THE METROPOLITAN COUNCIL'S 2030 REGIONAL POLICY PLANS

The motion for adopting the foregoing resolution 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
Dan Goldston – aye	

Set City Council meeting dates for 2012:

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to adopt the 2012 City Council meeting dates as presented. Motion carried 5-0.

Consider appointments, designations, and City Council liaison assignments for 2012: Councilmembers voiced their desire to continue with the current liaison assignments.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to approve the 2012 appointments, designations and City Council liaison assignments as presented. Motion carried 5-0.

Consider amending Appendix D – Fee schedule of the Bayport City Code: Administrator Berg presented the proposed fees for 2012, noting the utility fees listed on the handout were rates that were adopted in 2009 as the result of the city adopting a three-year rate study. He stated the city will be proposing another rate study in 2012. Administrator Berg explained staff's reasoning for a proposed minimum \$25.00 charge to residents to reserve a picnic shelter, in an attempt to provide equal access to park users. Discussion followed on the pros and cons of the proposed new fee, and the recommendation was made to allow residents to reserve the first shelter (up to 100 people) at no charge.

Councilmember Ostertag introduced the following ordinance, revising the park usage/picnic shelter reservation fee for residents-100 people or less to "first shelter-no charge," and accepting the revised utility rates as presented on the handout materials, and moved its adoption:

Ordinance #830

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AMENDING APPENDIX D, FEE SCHEDULE, OF THE CITY CODE**

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
Dan Goldston – aye	

COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Ostertag recognized and thanked the St. Ores family for the donation of a tree, the monetary contribution to the Police Department from the Todd family, and the anonymous donation of a fire department ring. He also noted that Santa Claus was appreciative of the residents who welcomed him to town on November 25, and that Santa would be at the Lighting of the Village Green on December 7.
2. Mayor St. Ores noted new security measures are in place at Lakeside Park and City Hall and thanked donors and staff for their assistance to get these implemented.

CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS

Administrator Berg introduced Andy Pratt who will be replacing Nick Vivian as the city's lead attorney.

ADJOURNMENT

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to adjourn the meeting at 6:57 p.m. Motion carried 5-0.

City Administrator/Clerk