

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
MARCH 4, 2013  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of March 4, 2013 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, and Michele Hanson

Members Absent: None

Staff Present: Acting Administrator/City Planner Sara Taylor, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Engineer Barry Peters, Attorney Andy Pratt, and Fire Chief Mark Swenson

**APPROVAL OF AGENDA**

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to approve the March 4, 2013 City Council agenda. Motion carried 4-0.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS**

1. The February recycling award recipient was Doug Odland who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores reminded property owners that the sidewalks abutting their property should be cleared of ice and snow within 24 hours of accumulation and thanked everyone for helping with this public safety issue.

**OPEN FORUM**

Jon Chiglo, Minnesota Department of Transportation (MnDOT) project director for the St. Croix River Crossing project, provided an update on the new bridge. He reported that two major contracts were recently let for the reconstruction work on Highways 95 and 36, as well as the installation of the five foundation piers in the river. Work on both projects will begin in April, with contractor incentives to have the work completed by the end of 2013. He reported that a proposed retaining wall/railing within Bayport has been eliminated and the size of a holding pond has been reduced, which will reduce the city's overall maintenance responsibilities. He stated MnDOT would be hosting public information meetings at the end of April, and he would be able to provide the City Council with information on traffic management strategies at the May City Council meeting. Mr. Chiglo indicated the project manager for the proposed work on Highway 95 at the south end of Bayport will provide staff with an update on the scheduled work.

**CONSENT AGENDA**

Mayor St. Ores read items 1-15 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 13-04**

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-15 FROM THE  
MARCH 4, 2013 CITY COUNCIL AGENDA**

1. January 18, 2013 City Council emergency meeting summary
2. February 4, 2013 City Council special meeting minutes
3. February 4, 2013 City Council regular meeting minutes
4. February 20, 2013 City Council special meeting minutes
5. February payables and receipts (check numbers 1135516-1135615)
6. February building, plumbing and mechanical permits report
7. City liability insurance waiver
8. Letter of credit reduction for the remaining improvements within Phase I of Inspiration
9. Policy for accepting credit cards for payment of city services
10. Authorization to hire five personnel for the Fire Department
11. Special event application from Make-A-Wish Foundation for Swimming for Wishes fundraiser at Lakeside Park on Sunday, August 18, 2013
12. Renewal of boat trailer parking license agreement with Andersen Corporation
13. Agreement with Springsted, Inc. for executive search services
14. Authorization for Mayor St. Ores to execute and sign the Metropolitan Council Environmental Services grant agreement for the Inflow and Infiltration Improvement and Manhole Rehabilitation Project on behalf of the city
15. Accept Fire Department donation of eight Kidde carbon monoxide alarms from Tom and Susan Boecker and two quilted baby blankets from Audrey Reed

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  
Connie Carlson – aye

Dan Goldston – aye  
Michele Hanson – aye

**PUBLIC HEARINGS – None**

**COUNCIL LIAISON REPORTS**

Councilmember Hanson reviewed the February 21, 2013 meeting of the Cable Commission, reporting that new officers and committees were established, and she will be serving on the budget committee. She noted that information on Comcast's transition from analog to digital is posted at City Hall; however, residents should contact Comcast if they have questions or concerns.

Mayor St. Ores attended a meeting with officials from the Department of Transportation (DOT) and cities that will be impacted by the St. Croix River Crossing Project. She was encouraged by the open door approach of DOT officials to communicate with local government agencies, businesses, residents and emergency services personnel during the project. She also participated in a recent Community Symposium meeting and attended the Bayport Community Action League's Valentine Party.

Mayor St. Ores reported that she and Acting Administrator Taylor had a conference call today with Union Pacific Railroad officials relative to the city's ongoing concerns with increased train horn noise. She was encouraged by the railroad's willingness to communicate with the city on the issue, and an update will be provided in the city's next newsletter. Staff reiterated the need for the railroad to provide information to residents on the installation of a signal for the train crossings at Point Road in 2014.

## STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Swenson reviewed his written report. He reported that department personnel responded to an ice/water rescue incident, as well as several motor vehicle accidents in the area and two house fires in Bayport during February. Five new members are being trained in, and the new breathing apparatus equipment will be installed in the trucks within the next few weeks. A committee is exploring options for the purchase of a new pumper truck.

Police Chief Eastman reviewed her written report, encouraging anyone interested in learning more about fraud and identity theft to attend the upcoming community watch sessions at Croixdale on March 18 at 6:30 p.m., or the Bayport Senior Center on March 27 at 8:30 a.m. The department will be holding training for new reserve officers in April. Reserve officers are instrumental in assisting with city events, such as the Memorial Day Parade and Night to Unite. She highlighted the department's efforts to educate pet owners on the need to license and clean up after their pets.

Mel Horak, Public Works Supervisor, reviewed his written report, adding that the skating rinks were closed today for the season, due to poor ice quality. He provided an update on snow plowing and removal efforts and reported the hazardous tree removal project has been completed.

Acting Administrator Taylor reviewed her written report. She added the search process for the new city administrator will begin next week. It is anticipated the job position will be posted by late March, with a new administrator on the job by mid June. She reported staff received notification that the city will be reimbursed approximately \$9,000.00 by the Minnesota Department of Health for activities completed as part of a Source Water Protection Grant. The city has also been awarded \$73,000.00 in grant funding from the Metropolitan Council for an Inflow and Infiltration Improvement and Manhole Rehabilitation Project.

## UNFINISHED BUSINESS – None

## NEW BUSINESS

Consider applicants to fill the vacant seat on the City Council: Acting Administrator Taylor reported three residents expressed interest in the vacant seat, and each applicant was present to address the City Council regarding their desire to serve in this capacity. Morgan Kamps, 137 5<sup>th</sup> Street North; Patrick McGann, 19 Point Road; and April Torzewski, 528 6<sup>th</sup> Street North, explained their qualifications for the position and why they were seeking appointment. Councilmembers will consider the applications and make the appointment at a special meeting to be scheduled for mid March, with the new councilmember sworn in at the April 1, 2013 regular City Council meeting.

Consider amending Appendix D – Fee Schedule of the Bayport City Code of Ordinances related to water and sewer utility rates: Acting Administrator Taylor stated that a water and sewer utility rate increase for years 2010-2013 was previously adopted by the City Council following a rate study in 2009. As such, staff recommended adoption of the ordinance amendment to reflect the adopted rates for 2013 and a resolution providing for the summary publication of the proposed ordinance.

Councilmember Hanson introduced the following ordinance and moved its adoption:

### **Ordinance #835**

### **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 Goldston and upon roll call being taken, the following voted via voice:

Susan St. Ores – aye  
Connie Carlson – aye

Dan Goldston – aye  
Michele Hanson – aye

Councilmember Hanson introduced the following resolution and moved its adoption:

**Resolution 13-05**

**A RESOLUTION PROVIDING FOR THE SUMMARY PUBLICATION OF  
ORDINANCE NO. 835, AN ORDINANCE AMENDING APPENDIX D, FEE  
SCHEDULE OF THE CITY CODE**

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  
Connie Carlson – aye

Dan Goldston – aye  
Michele Hanson – aye

Consider amending Chapter 24 – Cemeteries of the Bayport City Code of Ordinances: Acting Administrator Taylor reported that staff recently completed a thorough review of the Hazelwood Cemetery rules and regulations to ensure the ordinance complied with state statutes, provided consistency with local cemeteries, and reflected current practices. She noted the cemetery ordinance was significantly updated in 2006, with input from a citizen’s advisory committee, and the proposed ordinance does not contain any substantial changes to these updates. The proposed changes do, however, reorganize the information to make it easier to read and understand.

Councilmember Hanson introduced the following ordinance and moved its adoption:

**Ordinance #836**

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
AMENDING CHAPTER 24, CEMETERIES, OF THE BAYPORT CITY CODE**

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

Susan St. Ores – aye  
Connie Carlson – aye

Dan Goldston – aye  
Michele Hanson – aye

Councilmember Hanson introduced the following resolution and moved its adoption:

**Resolution 13-06**

**A RESOLUTION PROVIDING FOR THE SUMMARY PUBLICATION OF  
ORDINANCE NO. 836, AN ORDINANCE AMENDING CHAPTER 24,  
CEMETERIES, OF THE CITY CODE**

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  
Connie Carlson – aye

Dan Goldston – aye  
Michele Hanson – aye

Consider authorization to purchase a replacement pumper truck for the Fire Department: Fire Chief Swenson stated the Fire Department is requesting authorization to replace a 1990 pumper truck. A dedicated truck committee researched the best option for this replacement and is recommending the purchase of a Rosenbauer Commander 4000 EXT that would be manufactured in Wyoming, Minnesota. Delivery time is expected within 8-12 months from the time of order. The base price of the vehicle is

\$459,877.00, which reflects competitive pricing through a cooperative purchasing program with the Houston-Galveston Area Council (H-GAC). Staff estimates it will cost an additional \$60,000.00 to fully equip the truck and is requesting a do-not-exceed approval cost of \$520,000.00. Chief Swenson stated the first payment of \$204,758.00 would be due in July, when the chassis is ready. He said the committee had explored the option of replacing the department's 1994 heavy equipment rescue truck at the same time to realize better pricing; however, it was determined the current fire station could not accommodate the size of the two new trucks. As part of the department's five-year plan, Chief Swenson is exploring construction of a new fire hall to better fit the needs of the department. The truck committee is also exploring options for disposal of the old pumper truck.

Attorney Pratt summarized the discussion at the City Council workshop held prior to tonight's meeting that explored financing options for the new pumper. Steve Mattson of Northland Securities presented an analysis of financing the purchase internally with cash on hand versus public financing via a General Obligation Equipment Certificate of Indebtedness for a term of no more than 10 years, with an interest rate of approximately 1.5 percent. He stated the City Council can authorize the purchase of the truck tonight and allow staff additional time to determine the optimum financing option for the purchase. He recommended a financing option be approved at the next meeting. Chief Swenson added that staff will work with Mr. Mattson to establish a financing plan for future replacement of department vehicles.

It was moved by Councilmember Hanson and seconded by Councilmember Goldson to authorize the purchase of a Rosenbauer Commander 4000 EXT from Rosenbauer, Wyoming, Minnesota, for a cost not to exceed \$520,000.00, and enter into an Interlocal Contract for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC). Motion carried 4-0.

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

1. Councilmember Hanson recognized and thanked Tom and Susan Boecker for the donation of the Kidde carbon monoxide alarms and Audrey Reed for the donation of the homemade baby blankets.

#### **ADJOURNMENT**

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to adjourn the meeting at 7:08 p.m. Motion carried 4-0.

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Acting City Administrator/Clerk