

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS**

**APRIL 2, 2012
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of April 2, 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

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to approve the April 2, 2012 City Council agenda as presented. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The March recycling award recipient is Suzanne Evans who will receive \$30.00 for her recycling efforts, with funding made possible by a grant from Washington County.

OPEN FORUM

Request from youth group "Roots and Shoots" for a habitat garden in Barker's Alps Park: Maggie Kjeer and Paavo Downing, youth representatives from the local Roots and Shoots group, which is part of the Jane Goodall Institute, addressed the City Council to request permission to build a self-maintaining frog pond and attached butterfly garden in Barker's Alps. The group has raised money to fund this environmental effort and would like to build it on Earth Day, April 28, 2012. They would also like to install a sign and donation box in the area. Administrator Berg stated the project would fit with the overall park plan, and the general consensus of the City Council was to direct staff to work with the group to complete the project.

Donation request from Youth Service Bureau for 2012-2013: Mary Planten-Krell, Executive Director Of the Youth Service Bureau (YSB), summarized the purpose and services of the YSB, and requested continued financial support from the city. YSB requested an annual donation of \$1,300.00 for both 2012 and 2013, utilizing a purchase of service agreement between the City of Bayport and YSB.

Donation request from Community Thread for 2012-2013: Valerie Jones, Community Thread representative, reviewed the organization's mission and how funding support for the Bayport Senior Center impacts the lives of area residents, including building improvements to the Bayport American Legion where the senior center is located. Community Thread requested an annual donation of \$1,500.00 for both 2012 and 2013.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to add consideration of the donation requests from Youth Service Bureau and Community Thread as item 6 of new business. Motion carried 5-0.

SPECIAL PRESENTATION ON COMMUNITY SYMPOSIUM

Todd Streeter, Executive Director of the Greater Stillwater Chamber of Commerce, reviewed the Community Symposium initiative and summarized the concepts that emerged from the nine Town Hall sessions and website input. Opportunities for the six concepts of increased communication, celebrate culture and arts, community transportation, economic redevelopment, increased access, and community amenities were discussed.

CONSENT AGENDA

Mayor St. Ores read items 1-16 on the consent agenda.

1. March 5, 2012 City Council regular meeting minutes
2. March payables and receipts (*check numbers 1134293-1134385*)
3. March building, plumbing and mechanical permits report
4. Special event application from the Bayport American Legion for the Memorial Day Parade on May 28, 2012
5. Special event application from Anderson Race Management for relay event on August 18, 2012 at Perro Park
6. Special event application from BCAL for Farmer's Market on July 9 -October 15, 2012 at Perro Park
7. Special event application from BCAL for Dane's Place fundraiser on June 30, 2012 at Village Green Park
8. Temporary on-sale liquor license from BCAL for Dane's Place fundraiser
9. Lawful gambling bingo application from BCAL for Dane's Place fundraiser
10. Hiring of Jered Deal as a part-time police officer and PERA declaration (*Resolution 12-06A*)
11. Hiring of Aaron Slinger as a part-time police officer and PERA declaration (*Resolution 12-06B*)
12. Special event application from Andersen Corporation for a picnic on Saturday, August 11, 2012 at Lakeside Park
13. Purchase of attachments for the Public Works Department Toolcat utility machine
14. Pending renewal of the boat trailer parking agreement with Andersen Corporation
15. Special event application from Girl Scout Troop 53091 to collect donations for the Humane Society at Village Green Park on April 14, 2012
16. Final payment request for cleaning and television inspection of city's sanitary sewer

Regarding item 14, Administrator Berg indicated he has confirmation from Andersen Corporation that they will continue the boat trailer parking agreement in 2012. City staff will work with Andersen Corporation to finalize the agreement by May 1, 2012.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 12-06

RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-16 FROM THE APRIL 2, 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 JERED DEAL

Mayor St. Ores administered the oath of office to Jered Deal, the city's new part-time police officer.

SWEARING IN OF POLICE OFFICER AARON SLINGER

Mayor St. Ores administered the oath of office to Aaron Slinger, the city's new part-time police officer.

Officers Deal and Slinger were welcomed to the City of Bayport.

PUBLIC HEARINGS - None

COUNCIL LIAISON REPORTS

Councilmember Hanson reported on the Planning Commission action of March 19, 2012. Jeff Richtman was sworn in as a new member, David Levy was elected chairperson, and Joe Ritzer was elected vice chairperson. The Planning Commission recommended the City Council approve proposed amendments to the city's zoning ordinance related to variances to comply with new state legislation.

Mayor St. Ores attended the Middle St. Croix Watershed Management Organization (MSCWMO) meeting of March 8, 2012. She stated the MSCWMO is partnering with the Washington Conservation District on a Perro Creek Corridor Cleanup Event scheduled for April 10 and 11, 2012, from 3:00-7:00 p.m. Participants will meet at the Perro Park warming house, and residents were encouraged to call City Hall for more information or to participate. The next meeting of the MSCWMO is scheduled for Thursday, April 5, 2012, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Carlson stated the March 22, 2012 meeting of the Bayport Library Board was postponed until Thursday, April 5, 2012. The meeting will be held at the library, beginning at 6:00 p.m., and is open to the public.

UNFINISHED BUSINESS

Consider approving bid specifications and authorizing the advertisement of bids, and expending additional funds for the 2012 Sealcoating Improvement Project: Engineer Peters reported the bidding documents for the sealcoating project have been completed and a map of the project area was distributed. The project encompasses the southwest quadrant of the city, which includes the streets west of Highway 95 and south of 2nd Avenue North. The engineer's estimated cost to complete all of the streets in the quadrant is \$59,000.00, which exceeds the \$40,000.00 budgeted for the project. Staff reported there are funds to cover the balance without an increase in the budget, and the city anticipates receiving favorable bids by advertising jointly with a similar sized project in the City of Lake St. Croix Beach. Staff recommended approval of the plans and specifications and authorization to advertise for bids. The City Council would consider awarding the project at the May 7, 2012 meeting. Mayor St. Ores noted the city did not complete a sealcoating project last year, due to state aid concerns, and the proposed project would get the city back on track with its preventative street maintenance program.

It was moved by Councilmember Hanson and seconded by Councilmember Ostertag to approve the plans and specifications for the 2012 Sealcoat Improvement Project and authorize the advertisement of bids. Motion carried 5-0.

NEW BUSINESS

Consider appointing John Miller to fill the vacant full-time police officer position: Administrator Berg stated he is recommending the appointment of John Miller to fill the vacant full-time police officer position created by the resignation of Officer Dave Wynia.

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to appoint John Miller to fill the vacant full-time police officer position, effective April 1, 2012.

Consider amendments to Appendix B – Zoning of the Bayport City Code of Ordinances related to variances: Assistant Administrator/Planner Taylor reviewed changes in state law related to land use variance language and stated municipalities are required to update their zoning ordinance to reflect the new language. The new law requires cities to use the practical difficulties standard and criteria when evaluating variance applications rather than the previous undue hardship standard. The proposed amendments to the city’s zoning ordinance were reviewed. Planner Taylor noted the Planning Commission voted to recommend approval of the amendments at their March 19, 2012 meeting, and that the proposed amendments have been reviewed and approved by the city attorney. Councilmembers noted the new language allows cities more flexibility when considering variance requests, and Planner Taylor clarified that the City Council would serve as the board of adjustments and appeals when reviewing variances.

Councilmember Ostertag introduced the following ordinance and moved its adoption:

ORDINANCE #831

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AMENDING APPENDIX B – ZONING OF THE BAYPORT CODE OF ORDINANCES,
RELATED TO VARIANCES**

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	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye
Dan Goldston – aye	

Consider implementing a credit card payment system for city services: Administrator Berg reviewed a proposal to contract with Payment Service Network, Inc., to provide a credit card payment option to residents for city services. Customers would be able to pay with a Discover, MasterCard or Visa credit card via an online link on the city’s website or by telephone. He noted the service would interface with the city’s utility billing software and customers would have the option of tracking their utility usage for the past 24 months. Administrator Berg noted the service agreement would also include library payments, and the setup and annual transaction fees cover both City Hall and the library.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to enter into a service agreement with Payment Services Network, Inc., for credit card processing services. Motion carried 5-0.

Support for a legislative bill to help the City of Oak Park Heights secure state aid for the proposed St. Croix River Crossing Bridge: Administrator Berg reviewed the financial challenges faced by the City of Oak Park Heights related to the new St. Croix River Crossing Bridge and asked for City Council support of State of Minnesota H.F. No. 2868 to help the City of Oak Park Heights secure state aid for the proposed St. Croix River Crossing Bridge.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to support a legislative bill to help the City of Oak Park Heights secure state aid for the proposed St. Croix River Crossing Bridge. Motion carried 5-0.

Consider a donation request for the Bayport Memorial Day Parade in the amount of \$300.00:

Administrator Berg reviewed the Bayport American Legion's annual request for a \$300.00 donation to help with the expense of the Memorial Day Parade, noting the city has provided financial assistance for many years. Staff recommended approval of the donation request, noting there is \$3,000.00 in the city budget for donation requests. It was noted the city also provides substantial in-kind police and public work assistance for the parade, with police assistance estimated at \$600.00-\$700.00.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to donate \$300.00 to the Bayport American Legion Post #491 for financial assistance for the Memorial Day Parade. Motion carried 5-0.

Consider donation requests from the Youth Service Bureau and Community Thread for 2012 and 2013:

The Youth Service Bureau (YSB) requested an annual donation of \$1,300.00, and Community Thread requested an annual donation of \$1,500.00 for 2012-2013. Discussion centered on the value of services provided by both organizations and a desire to approve their entire funding requests; however this would exceed the \$3,000.00 donation budget by \$100.00. Administrator Berg noted the city has contingency funds that could be used to cover unbudgeted donation funding. Mayor St. Ores suggested adding a separate contract for service line item for the YSB in future budgets, since their activities are an extension of the city's preventative police department programs.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve a \$1,500.00 donation to Community Thread for 2012 and 2013, and a \$1,300.00 donation to the Youth Service Bureau for 2012 and 2013. Motion carried 5-0.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Ostertag recognized Police Officer Dave Wynia's service to the City of Bayport and wished him well with his new duties with the City of Oak Park Heights.
2. Councilmember Carlson reminded residents of the Easter Egg Hunt at Barker's Alps on Saturday, April 7, 2012, beginning at 10:00 a.m. The event is organized by the Bayport Community Action League.
3. Mayor St. Ores attended the recent press conference in Stillwater where Minnesota Governor Dayton and Wisconsin Governor Walker recognized President Obama's signing of legislation approving the St. Croix River Crossing Bridge.
4. Mayor St. Ores attended the March Lower St. Croix Alliance meeting where it was announced that Washington County would be holding a prescription drug recycling event on April 28, 2012. The county plans on having a year-round disposal site at the Law Enforcement Center for Washington County residents to dispose of unused/expired medications. Information and/or a link to a presentation on the I-94 Gateway Corridor study will be made available to residents.
5. Mayor St. Ores will be attending a city-school district collaboration meeting on April 28, 2012.

CITY ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

- Administrator Berg announced there will be open house events on the I-94 Gateway Corridor study on April 4, 2012, 5:00-7:00 p.m., at the St. Croix Government Center, and April 5, 2012, 5:00-7:00 p.m., at Woodbury City Hall. The study explored transit options for the corridor between St. Paul-Minneapolis and Eau Claire, Wisconsin.
- A reminder was provided for the April 16, 2012 City Council workshop that will focus on the city's water and sewer departments, as well as capital improvements to wellhead #3.

- Permits have been filed with the United States Fish and Wildlife Services and the National Park Service for installation of a boarding dock at the public boat launch, and responses are expected in time for discussion at the May City Council meeting. It was also noted the city will be doing some maintenance on the existing launch in the next month.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:34 p.m. Motion carried 5-0.

City Administrator/Clerk