

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
APRIL 7, 2014  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of April 7, 2014 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 Patrick McGann

Members Absent: None

Staff Present: City Administrator Logan Martin, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, City Engineer John Parotti, Fire Chief Mark Swenson, and Assistant City Administrator/Planner Sara Taylor

**APPROVAL OF AGENDA**

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the April 7, 2014 City Council agenda. Motion carried 5-0.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS**

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

**OPEN FORUM**

1. Mary Planten-Krell, Youth Service Bureau (YSB) Executive Director, provided an overview of the organization and an update on the diversion services they provide in the East Metro/Bayport. She noted YSB has a strong working relationship with the Bayport Police and Fire Departments and provided services to ten Bayport families last year. She reviewed the organization's funding sources and indicated YSB is again requesting \$1,300.00 in support from Bayport. Mayor St. Ores commented on the valuable services YSB provides and noted the annual funding request is part of the 2014 budget. YSB is expanding its volunteer program and more information is available on their website or by calling the office at 651-439-8800.
2. Minnesota State Senator Karin Housley thanked Mayor St. Ores, Councilmember McGann and Administrator Martin for testifying at the Capitol on behalf of the Bayport Land Transfer Bill that would enable the city to acquire four acres for a new fire station from the Minnesota Department of Corrections (DOC) at a minimal cost. She provided an update on the bill and anticipates it being heard by the Senate this week; no date has been set for the bill to be heard by the House. Mayor St. Ores acknowledged the efforts of Senator Housley and Representative Lohmer for sponsoring the bills, as well as the DOC for their support.

**CONSENT AGENDA**

Mayor St. Ores read items 1-10 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 14-06**

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-10 FROM THE  
APRIL 7, 2014 CITY COUNCIL AGENDA**

1. March 3, 2014 City Council regular meeting minutes
2. March 3, 2014 City Council workshop meeting minutes
3. March payables and receipts (check numbers 1136938-1137046)
4. March building, plumbing and mechanical permits report
5. Special event application from BCAL for Dane's Place Pig Roast on June 28, 2014
6. Intergovernmental agreement with Washington County Water Coalition
7. Support of grant application to Minnesota Department of Employment and Economic Development Job Creation Fund from Andersen Corporation (*Resolution 14-06A*)
8. Special event application from Run Stillwater Inc. for running race on Saturday, July 12, 2014
9. Special event application from the Bayport American Legion Post 491 for the Memorial Day Parade on Monday, May 26, 2014
10. Donation of a city park bench from Tim and Karen McCloud, Adam McCloud Foundation

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

Patrick McGann – aye

**PUBLIC HEARINGS**

**COUNCIL LIAISON REPORTS**

Councilmember McGann reported the City Council will be considering two appointments to the Planning Commission later in the meeting.

Councilmember Carlson reviewed the March Library Board meeting, noting that over 100 children attended a movie at the library during spring break. The annual Easter Egg Roll is scheduled for Tuesday, April 15 at 11:00 a.m., and a pajama story time will be held on Thursday, April 24 at 6:00 p.m. A daylong strategic planning retreat will be held April 12 to help define the library's vision for the next 3-4 years, and the board is seeking another resident to participate in this planning process. The next board meeting will be a combined session with the Washington County and Stillwater libraries on Wednesday, April 23 at the Wildwood Library.

Mayor St. Ores recently attended two legislative subcommittee meetings for the Bayport Land Transfer Bill and the Washington County League of Local Governments reception. She reported the April 5 Master Gardener's class held at the library was well attended and provided useful information as the "Bayport in Bloom" contest gets underway.

**STAFF/CITY ADMINISTRATOR REPORTS**

Fire Chief Swenson recognized the support the city has received in its efforts to acquire land for a new fire station. He reviewed his written report and noted the department is working on confined space planning. He recently attended a week of leadership training in Maryland, funded mainly by Federal Emergency Management Agency, and stated the training was excellent and provided invaluable networking and grant information opportunities.

Police Chief Eastman noted the positive feedback generated by the department's Facebook page and said the reserve officers are instrumental in providing input and updates. She also recognized the value of the city's partnership with the Youth Service Bureau and explained the referral process. Four candidates will be completing the Reserve Officer Academy on April 12 and 13. Upon completion, they will join the department's ten active reserve officers. Chief Eastman recently attended the Minnesota Chief's Convention and reported she will be speaking at the Bayport Senior Center on April 29. Councilmember McGann highlighted the seriousness and extent of mail theft in the area, and Chief Eastman encouraged residents to call 911 if they observe suspicious activity.

Public Works Supervisor Mel Horak reviewed his written report. Councilmember Hanson inquired about further plans to mitigate trichloroethylene (TCE) in the city's water supply by connecting well #3 to the air stripper. Administrator Martin stated the TCE levels continue to be monitored closely and the city recently learned of new grant opportunities to fund the TCE mitigation project. He indicated staff will be actively exploring this funding source.

Assistant City Administrator/Planner Taylor reported the interview process for the Planning Commission vacancies has been completed and a recommendation to appoint two new members will be considered on tonight's agenda. The Planning Commission will meet on April 21 to consider requests for a commercial conditional use permit and residential variance. Staff has been reviewing city ordinances to better address complaints and code violations and an amendment to the ordinance regulating wild animals will be considered later on tonight's agenda. The revisions would prohibit residents from providing an artificial food source to wild animals, especially deer and geese. Residents who notified City Hall they are running water to prevent frozen water lines will be contacted by city staff when it is safe to turn the water off. Boat trailer parking permits for residents will be available April 15; the cost is \$25.00. The Bayport Community Action League is sponsoring the annual Easter Egg Hunt at Barker's Alps Park on Saturday, April 19 at 10:00 a.m. and a citywide garage sale on June 6 and 7. Residents may contact City Hall to sign up for the sale.

Administrator Martin introduced John Parotti of SEH who will be replacing Barry Peters as the city's engineering consultant. Mr. Parotti said he lives in the St. Croix Valley and has been the city engineer for Lakeland, Lakeland Shores, Lake St. Croix Beach and St. Mary's Point for ten years. Administrator Martin encouraged people to visit the Minnesota Department of Transportation website for up-to-date information on road realignments and closures due to the new bridge construction.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

Consider new appointments to the Planning Commission: Assistant City Administrator/Planner Taylor reported the city received four applications for the two vacancies on the Planning Commission. Staff recommended the appointment of Brad Abrahamson and Elizabeth Kelly, based on their background and experience. Brad would fill the seat vacated by Todd Gilles and Elizabeth would fill the seat vacated by Jason Obler.

It was moved by Councilmember Hanson and seconded by Councilmember McGann to appoint Brad Abrahamson to the Planning Commission for a term to expire on December 31, 2016, and Elizabeth Kelly for a term to expire on December 31, 2015.

Consider next phase of proposed improvements for Perro Park: Administrator Martin stated the city has \$100,000.00 allocated in the 2014 budget for Phase II improvements at Perro Park, with emphasis on maximizing the \$15,000.00 donation from the American Legion to upgrade the ball field area. Park

Consultant Larry Wacker detailed the scope of work and cost estimates for the proposed improvements. The preliminary cost estimates are \$18,700.00 for infield improvements, \$11,600.00 for playground relocation, \$41,100.00 for tennis court improvements, and \$27,430.00 for miscellaneous improvements including asphalt paths, concrete steps, signage and design/engineering fees. The total improvement cost of \$98,830.00 would be offset by the American Legion donation, for an estimated cost to the city of \$83,830.00. If approved, the bid package would be distributed in May, with the improvements completed this summer. Mayor St. Ores commented on the need to ensure the grade and pathways for the Phase II improvements are aligned with future improvements to prevent re-work and re-investment. Discussion followed on adding a sign at the corner of 3<sup>rd</sup> Street North and 3<sup>rd</sup> Avenue North, and Consultant Wacker said an identification feature has not been finalized and the cost estimate presented is for a stone sign similar to the one at Lakeside Park. He anticipates bringing final details to the May City Council meeting. Councilmember Goldston encouraged using a single contractor who could complete the entire project to streamline costs and scheduling. Councilmember Hanson questioned the impact of the Farmer's Market and skating rink on the new aggregate infield. Consultant Wacker said five inches of aggregate material would be installed and packed down to a stable surface that could be maintained for several years, with occasional grooming. Administrator Martin added the American Legion has expressed interest in assisting with the annual maintenance costs. Upgrading the outfield/multi-use play area would be part of a later improvement phase. Councilmember Hanson questioned installing basketball goals since they are available across the street at the Andersen Elementary playground and wanted to make sure the pathways are in alignment with the new entrance to the pleasure skating rink. Handicapped access to the park would be at the parking area near People's Church where handicapped parking is already designated. The general consensus was to leave the two basketball goals in the project at this time and review further when additional pricing information is available.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to proceed with the preparation of the plans and specifications and the solicitation of bids for Phase II improvements for Perro Park. Motion carried 5-0.

Consider an amendment to Chapter 14 – Animals, Article V. Wild Animals of the Bayport City Code of Ordinances related to artificial feeding and discuss mitigation options for excessive deer populations:

Administrator Martin stated that in response to direction at the March 3 City Council workshop, staff has revised the city's animal ordinance to prohibit artificial feeding of deer and other wild animals, which would help address the increased nuisance of deer and geese in the city. The city has received numerous complaints about deer damaging shrubs and newly planted trees throughout Bayport. Police Chief Eastman added that deer-vehicle accidents are a real concern and supports prohibiting artificial food sources for wildlife. Violation of the ordinance would be handled as a misdemeanor.

Discussion followed on deer culling options and Administrator Martin stated the city would set a number to be culled, if this option is pursued. He has talked with River Valley Deer Management that performs deer culling activities via bow hunting and donates the deer meat to individuals or food shelves. He added hunting would typically occur in the early morning or dusk hours, preferably in September-December, with the focus on culling the doe population. The City of Hudson has successfully used this group to manage its deer population by culling the herd each year for the past ten years, to the point a hunt may not be needed this year. Councilmember McGann recommended waiting until the artificial food sources stop to see if the herd decreases and pursue a culling option later this year, if needed. He also suggested having the deer management group assess the deer population in Bayport in the interim to help determine the extent of the problem. Councilmember Goldston stated that once the natural feeding habitat returns, the deer will seek a less populated environment. The general consensus was to assess the need for culling after the ordinance amendment takes effect and coordinate an assessment of the deer population with River Valley Deer Management in the near future.

Councilmember Hanson introduced the following ordinance and moved its adoption:

**Ordinance #841**

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY,  
MINNESOTA AMENDING CHAPTER 14 - ANIMALS, ARTICLE V. WILD ANIMALS,  
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

Dan Goldston – aye

Patrick McGann – aye

Connie Carlson – aye

Michele Hanson – aye

Staff was directed to begin the process of informing residents of the amendment prohibiting artificial feeding.

**CITY COUNCIL ITEMS AND ANNOUNCEMENTS**

1. Councilmember Hanson thanked the McCloud family/Adam McCloud Foundation for the bench donation. The memorial bench will be located near the former Valley Agencies building.

**ADJOURNMENT**

It was moved by Councilmember Goldston and seconded by Councilmember McGann to adjourn the meeting at 7:40 p.m. Motion carried 5-0.

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City Administrator/Clerk