

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JUNE 9, 2014
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of June 9, 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, Assistant City Administrator/Planner Sara Taylor and City Attorney Mark Vierling

APPROVAL OF AGENDA

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to approve the June 9, 2014 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The May recycling award recipient is Deb Staloch who will receive \$30.00 for her recycling efforts, with funding made possible by a grant from Washington County.
2. Police Chief Eastman recognized Officer Jay Jackson for his efforts in subduing an out-of-control individual on April 15, 2014, and ensuring the safety of the general public.

OPEN FORUM

1. Sally Anderson with Community Thread, provided an overview of the organization's programs that help keep seniors connected to their community, including activities at the Bayport Senior Center. In 2013, 111 seniors participated in over 70 hours of monthly programming at Bayport's center. She requested financial support of \$2,000.00 in 2015 from the City of Bayport to support the programs and services provided by Community Thread.

CONSENT AGENDA

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

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 14-11

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-7 FROM THE
JUNE 9, 2014 CITY COUNCIL AGENDA**

1. May 5, 2014 City Council workshop meeting minutes
2. May 5, 2014 City Council regular meeting minutes
3. May payables and receipts (check numbers 1137107-1137272)
4. May building, plumbing and mechanical permits report

5. Special event application from Anderson Race Management for relay event on Saturday, August 16, 2014 at Perro Park
6. Renewal of on-sale 2:00 a.m. liquor license for Mallards restaurant/tavern located at 101 5th Avenue South
7. Installation of northbound and southbound stop signs at the intersection of 2nd Avenue North and 4th Street North near Andersen Elementary School

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	Dan Goldston – aye	Patrick McGann – aye
Connie Carlson – aye	Michele Hanson – aye	

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Carlson reported the library’s first summer event, the Okee Dokee Brothers performing at Lakeside Park on June 9, was well attended. The full summer schedule is available on the library’s website. The next Library Board meeting is scheduled for Thursday, June 19, 2014, 6:00 p.m. at the library.

Councilmember Hanson reviewed the May 15, 2014 Cable Commission meeting. Work continues on the franchise agreement with Comcast, which may be impacted by the proposed merger of Comcast and Time Warner. Comcast will be renting space for some of their cable-related equipment at the expanded Valley Access Channels location in Valley Ridge Mall. The next meeting will be scheduled in July.

Councilmember Goldston attended the May 7, 2014 meeting of the Anderson Community Advisory Committee where the plant’s expansion plans were reviewed. He also attended the May 17 American Cancer Society “Bark for Life” fund raising event at Barker’s Alps Park that was enjoyed by many participants.

During the month of May, Mayor St. Ores attended a Greater Stillwater Chamber of Commerce gathering at Mallard’s Restaurant that brought together businesses and local officials. Mayor St. Ores has been appointed to the Chamber’s Board of Directors and noted the Chamber’s Rockin’ Ribs event will be held at Lakeside Park on June 20 and 21. She attended the Great River Gathering in St. Paul with Administrator Martin, as guests of Andersen Corporation, and a recent Rotary Club meeting, as a guest of former Bayport Mayor Jim Kosmo. She recognized the Bayport American Legion and Bayport city staff for their efforts with another successful Memorial Day Parade and reminded everyone to enjoy the Bayport Community Action League’s (BCAL) ice cream social on Wednesday, June 11, 6:30-8:30 p.m., at Lakeside Park.

STAFF/CITY ADMINISTRATOR REPORTS

Police Chief Eastman reviewed her written report and recognized the department’s reserve officers and the Public Works staff for their help with the Memorial Day Parade. Registrations are now open for the annual Youth Safety Camp for children entering grades 3-5 that will be held at Lakeside Park on August 4 and 5. Mayor St. Ores inquired about the increase in speeding violations and Chief Eastman indicated the increase is due primarily to additional traffic associated with the new bridge construction and people traveling to and from work. She added the department issues multiple verbal warnings that are not reflected in the monthly statistics. Mayor St. Ores suggested adding marked crosswalk areas at busy intersections on Highway 95, which would need approval by the Minnesota Department of

Transportation. Chief Eastman will assess the number of crossing flags and portable pedestrian signs available for Highway 95 traffic, as well as the possibility of adding an electronic speed sign on the south end of Bayport. The current process for handling code violations was reviewed. The Police Department is now in charge of tracking/resolving property complaints and following up with a citation, if necessary.

Public Works Supervisor Mel Horak reviewed his written report, adding that 10 hanging flower baskets were installed on utility poles along Highway 95 and 5th Avenue North business corridor today. Public Works is coordinating the repair of a faulty water line and fire hydrant on 3rd Street South, noting the city's aging infrastructure has hampered repair efforts. He added that the rain gardens installed at City Hall by the Middle St. Croix Watershed Management Organization/Washington Conservation District have functioned well during the recent heavy rain falls.

Assistant City Administrator/Planner Taylor said that as part of the ongoing review of city ordinances the City Council will be considering revisions to the vegetation and fee schedule ordinances later in tonight's meeting. The bid opening for Perro Park improvements is set for June 25, with the bid award to be considered at the July 7 City Council meeting. The next issue of the city newsletter will be mailed within the next few weeks, and she reminded residents interested in entering the "Bayport in Bloom" contest that nominations should be submitted to City Hall by July 16. Additional information on community events is available on the city's website.

Administrator Martin reviewed Fire Chief Swenson's written report, noting that the department is recruiting new members. He highlighted the passage of special legislation conveying surplus land from the Minnesota Department of Corrections to the city, for the proposed construction of a new fire station that will save the city approximately \$200,000.00 in land acquisition costs. He thanked everyone involved in accomplishing passage of this bill in the 2014 legislative session. Staff is working with the Minnesota Pollution Control Agency and Minnesota Department of Health to secure funding for advancements to the city's water treatment system, to continue treating trichloroethylene (TCE) levels in the municipal water supply. The 2015 budgeting process has begun and staff will be soliciting input from councilmembers at a workshop on July 7, prior to the regular City Council meeting. Mayor St. Ores added that the 2014 budget is in line with expenses, except for the unexpected water line repairs experienced due to last winter's severe cold. She added these expenses were covered by funds available in the current budget. Administrator Martin said the city hopes to add more hanging flower baskets along the city's business district next year.

UNFINISHED BUSINESS – None

NEW BUSINESS

Consider a business subsidy policy in accordance with Minnesota Investment Fund loan requirements: Administrator Martin reviewed the city's involvement with Andersen Corporation's application to the Minnesota Department of Employment and Economic Development (DEED) to participate in the Minnesota Investment Fund (MIF) for a \$500,000.00 forgivable loan, to facilitate expansion of their plant. The program requires the funds to be held by the city until reimbursement is requested by Andersen Corporation, which requires the city to adopt a business subsidy policy to establish guidelines that are acceptable to the state, in order to participate in the program. He indicated the policy lays out broad standards for city participation in business subsidy ventures and does not bind the city to participate in any current business subsidy or other subsidy in the future. The proposed policy will be revised on a staff level to add a wage rate standard, relative to the state and federal minimum wage requirements. The public hearing to discuss the MIF loan and this policy was held on May 5, 2014; however, additional public comments regarding the policy will be taken at this meeting.

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

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to close the public hearing. Motion carried 5-0.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve a business subsidy policy in accordance with guidelines established by the Minnesota Department of Employment and Economic Development for participation in the Minnesota Investment Fund. Motion carried 5-0.

Consider authorization to complete a feasibility study, prepare engineer bidding documents, and call for a public improvement hearing to initiate the extension of municipal water and sewer utilities to a portion of 2nd Street South and 1st Avenue South: Engineer Parotti stated a preliminary study was completed in 2013 that determined it was feasible to extend municipal water and sewer to a portion of 2nd Street South and 1st and 2nd Avenues South. The project did not move forward last year due to estimated costs and lack of interest. Recently, the property owners at 239 1st Avenue South have renewed their interest in the project in order to replace a non-compliant septic system, to prepare the property for sale. The property at 220 1st Avenue South has also expressed preliminary interest in connecting to city sewer, in conjunction with the extension to the project area. The recommended next steps to comply with Minnesota Statute 429 special assessment requirements were reviewed. Councilmember Hanson questioned the interest of other property owners that would be affected and Engineer Parotti said the city has several options; however the Public Works department is recommending a full project to extend sanitary sewer and municipal water and bring the street up to current city standards.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to complete a feasibility study, prepare engineer bidding documents, and call for a public improvement hearing to initiate the extension of municipal water and sewer utilities to a portion of 2nd Street South and 1st Avenue South. Motion carried 5-0.

Consider an amendment to Chapter 62 – Vegetation of the Bayport City Code of Ordinances: Administrator Martin reviewed proposed changes to the maintenance regulations for turf grass, shrubs and trees within the city that will improve the safety and overall appearance of city neighborhoods. The proposed ordinance defines a maximum height for turf grass and weeds of 6 inches and identifies hazardous and diseased trees as public nuisances, permitting abatement by the city. It also sets an abatement timeframe of 7 days for tall grass and 20 days for other public nuisances, e.g., diseased trees. A maximum height of 6 inches for grass is consistent with other cities, and staff will use a common sense approach when enforcing this requirement. Mayor St. Ores recommended the changes be highlighted in the next city newsletter.

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #843

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 62 - VEGETATION OF THE BAYPORT 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

Patrick McGann – aye

Consider an amendment to Appendix D – Fee Schedule of the Bayport City Code of Ordinances:

Administrator Martin reviewed the proposed mid-year changes to the fee schedule that identify a fee for misdemeanor offenses and a bulk container/dumpster permit, due to recent ordinance amendments. Nominal fees for fence and driveway permits are also proposed because of the staff time involved in issuing these permits, as well as specifying a satellite toilet rental fee for special events. Residents will still be required to obtain approval from the adjoining property owner(s) if they want to construct a fence closer than two feet from the applicable property line. Administrator Martin clarified that the fee for a satellite toilet rental includes coordination of the rental with the vendor and placement of one satellite for up to three days. In response to a question about city costs to accommodate special events, he stated the city requires a damage deposit/escrow for special events that require extra city services.

Councilmember Goldston introduced the following ordinance and moved its adoption:

Ordinance #844

**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
Connie Carlson – aye

Dan Goldston – aye
Michele Hanson – aye

Patrick McGann – aye

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Carlson asked staff to verify that the Community Thread donation for 2014 has been made since it was previously approved as part of this year's budget.
2. Councilmember Carlson inquired on the city's rental policy for picnic tables, specifically for the Dane's Place pig roast fundraiser. Assistant City Administrator Taylor said the city formalized a partnership via resolution in 2012 with the BCAL for several events, for which we do not charge for city services, e.g., renting picnic tables, trash cans and barricades. Although the BCAL assists with the Dane's Place event, it is not included in the partnership because the funds raised are not specifically used to support other BCAL events.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adjourn the meeting at 7:32 p.m. Motion carried 5-0.

City Administrator/Clerk