

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
DECEMBER 7, 2015
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of December 7, 2015 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, Fire Chief Allen Eisinger, Public Works Supervisor Mel Horak, Finance Officer Wanda Madsen, City Engineer John Parotti and City Attorney Andy Pratt

APPROVAL OF AGENDA

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the December 7, 2015 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The November recycling award recipient is Joel Carlson who will be awarded for his recycling efforts, with funding made possible by a grant from Washington County.

OPEN FORUM

1. Inspiration Parking Plan

- Scott Thompson, 449 Prairie Way South, addressed safety and visibility concerns with the no parking signs proposed for the Inspiration development. He believes designating no parking on the non-curbed side of the street will result in increased driving/parking on lawns and damage to sprinkler heads. Mailboxes in his area are also located on the non-curbed side. He believes it is a practical issue of available parking space between driveways and mailboxes if parking is designated on this side of the street and that parked cars will interfere with mail delivery. He requested the city review the proposed no parking areas in the development, section by section, to determine the logical choice for on-street parking and to solicit resident input on the decision.
- Mary-Clare Holst, 986 Inspiration Parkway North, said there is no curb on either side of her street.
- Paul Weirtz, 963 Inspiration Parkway North, echoed the concerns of Mr. Thompson and said he supports public safety efforts in the neighborhood. He is requesting the city reconsider the no parking plan and work with the homeowner's association to develop a less invasive placement plan.
- Sarah Thompson, 449 Prairie Way South, has observed that children playing on a sidewalk tend to do so laterally with the street and are less likely to dart into the street than children living on the non-sidewalk side who tend to play in their driveways, vertically toward the street. She disagrees with

the city's position that the safety issue is greater on the sidewalk side. Factoring in mailboxes and fire hydrants, she said there is double the amount of usable parking space on the side with the curb and sidewalk in her specific neighborhood.

- Trischa Heitman-Ochs, 939 Inspiration Parkway South, expressed concern with parking on the side of the street where mailboxes are located. She believes people will park too close to mailboxes because of a lack of available parking and interfere with mail delivery.

Administrator Martin noted it was the responsibility of the various developers to achieve the one-sided street parking restriction, which has been part of the Inspiration development plan since inception. He acknowledged residents have enjoyed two-sided parking for many years, as well as the difficulty in adjusting to restricted parking. The streets are 26-feet wide and double sided parking restricts passage for school busses, garbage trucks and public safety vehicles. The city's traffic engineer used an industry methodology to analyze the one-sided parking and provide for a consistent standard throughout the development. The current developer is in the process of turning over management of Inspiration to the homeowner's association by the end of the year. Installation of the one-sided parking signs is part of the developer's final responsibility, rather than waiting to complete this requirement which passes the cost on to the homeowner's association.

Mayor St. Ores acknowledged the importance of notifying residents of the pending sign placement. She wants to ensure that homeowner visibility is not harmed and be able to provide a definitive placement plan before the signs are placed. She also wants to ensure adequate passageway for snowplows and fire trucks. It was noted mailboxes are not consistently placed on one side of the street throughout the development.

Discussion followed on the decision to allow parking on the side opposite a sidewalk, in most cases. Engineer Parotti said there are pros and cons of restricting parking to either side of the road, and a determining factor was the concentration of pedestrians on the sidewalk side. He indicated the proposed plan does not allow parking on the inside of a curve because of site visibility issues. He recommended that the City Council do a thorough vetting of the options should they decide to revise the traffic engineer's plan.

Attorney Pratt said there is no legal requirement to provide consistent parking restrictions throughout a neighborhood. However, following a consistent plan throughout the development would alleviate concerns that the city was arbitrarily selecting sign placement and subsequent ticketing of illegally parked vehicles.

Fire Chief Eisinger said one-sided parking is needed on the narrow streets, especially on a curve, and a consistent plan would be beneficial for his department. Public Works Supervisor Horak said no on-street parking during snowplowing is optimal and Inspiration residents have been very cooperative in moving vehicles until the streets are plowed.

Administrator Martin said staff will take tonight's comments under consideration and work with the homeowner's association and developer to revise the plan, if needed. In the interest of public safety, Mayor St. Ores requested that the Fire Department conduct test runs to ensure their vehicles can get through, especially at curves and intersections. This topic may be revisited at a future meeting, prior to the signs being installed, if additional City Council consideration is necessary.

2. Olivier Vrambout, 10 Point Road, thanked the city, specifically the Public Works and Police Departments, for their assistance with the bike race held at Barker's Alps Park last month. He looks forward to coordinating the event next year.

CONSENT AGENDA

Mayor St. Ores read items 1-11 on the consent agenda.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 15-30

RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-11 FROM THE DECEMBER 7, 2015 CITY COUNCIL AGENDA

1. November 2, 2015 City Council regular meeting minutes
2. November payables and receipts (check numbers 006438-006558)
3. November building, plumbing and mechanical permits report
4. Non-union employee holidays for 2016
5. Liquor and tobacco license renewals for 2016
6. Reappointment of Mary Ostertag to the Library Board
7. Reappointment of Elizabeth Kelly and John Dahl to the Planning Commission
8. Renewal of employee health and dental insurance policies
9. Budgeted fund transfers for 2015
10. Amendment to the Inspiration Master Developer's Agreement to acknowledge obligation for completion of open space restoration by Mattamy Homes
11. Request to release letter of credit for completion of obligations within the Inspiration Master Developer's Agreement by Inspiration Holdings LLC

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

PUBLIC HEARINGS

Certification of past due waste collection and water/sewer to 2016 property taxes: Administrator Martin explained the city can certify certain delinquent waste collection and water/sewer fees against 2015 property taxes, payable in 2016. Customers and/or property owners were notified of past due charges and of their right to appeal certification to their property taxes. Collection efforts will continue over the next month and any accounts on the lists that have past due balances at year-end will be certified to Washington County.

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

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

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to accept staff's recommendation to certify past due waste collection and water/sewer and charges to Washington County for assessment to the 2015 property taxes, payable in 2016. Motion carried 5-0.

PUBLIC INPUT [TRUTH IN TAXATION] ON 2016 CITY BUDGET AND LEVY

Administrator Martin said property owners may provide comment on their 2016 property tax notifications and the proposed city budget at this annual Truth in Taxation meeting. The city did not receive any comments from residents since the preliminary levy and budget were adopted in September, and the budget numbers presented for final approval are the same as preliminarily approved in September. He noted the city’s financial standing remains consistently strong with an 8% growth in the taxable market value, \$4.7 million in new construction value, and state aid and other revenue streams increasing. A budget of \$2,889,261 is proposed, which is an increase of \$66,766 from 2015 (2.37% increase). The general fund budget by department was reviewed, and the budget accomplishments and capital improvement plan (CIP) for each department were examined. A line item was added to the budget to account for the \$29,992 annual bond payment for the new Fire Hall (15 year bond). The Public Works budget includes funding for the mid-year hiring of a new full-time employee to begin succession planning for the Public Works Supervisor. An upgrade of the Building Department’s permit software is proposed since the current software program manufacturer has gone out of business and the software is no longer supported. The proposed general fund levy is \$1,236,621, which is a modest increase of \$51,838 from 2015. This would result in a 44.54% city tax rate, which is a .21% increase from last year. This is a minor reduction in the tax rate from the preliminary September projections, due to an increased overall property tax base.

Discuss and consider a resolution adopting the 2016 levy:

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 15-31

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
CERTIFYING THE CITY OF BAYPORT’S LEVY TO WASHINGTON COUNTY FOR THE
YEAR 2016 BUDGET AT \$1,236,621.00**

The motion for adopting the foregoing resolution was duly seconded by Councilmember McGann 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

Discuss and consider a resolution adopting the 2016 budget:

Councilmember McGann introduced the following resolution and moved its adoption:

Resolution 15-32

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING THE CITY BUDGET FOR 2016**

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

Discuss and consider a resolution adopting the 2016 Capital Improvement Plan:

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 15-33

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

The motion for adopting the foregoing resolution was duly seconded by Councilmember McGann 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

UNFINISHED BUSINESS

NEW BUSINESS

Consider the 2016-2018 labor agreement with Law Enforcement Labor Services, Inc., Local Public Employee Union #226 for the Police Department: Administrator Martin reviewed the proposed negotiated contract and terms for the 2016-2018 agreement. The wage increases are 2% in 2016, 2.25% in 2017 and 2.5% in 2018, which are the same as proposed with the Teamsters and non-union staff. The previous contract contained a 3% per year wage increase. The contract includes a longevity incentive that adds two additional steps to the salary schedule, to bring it in line with the Public Works contract, and adds a voluntary physical fitness incentive. Staff believes this is an equitable proposal and recommends approval.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve the 2016-2018 labor agreement with Law Enforcement Labor Services, Inc., Local Public Employee Union #226 for the Police Department, as presented.

Consider the 2016-2018 labor agreement with Minnesota Teamsters Local Public Employee Union #320 for the Public Works Department: Administrator Martin reviewed the proposed contract and terms for the 2016-2018 agreement, noting the wage increases mirror the police contract and non-union staff (2% in 2016, 2.25% in 2017 and 2.5% in 2018). The proposal calls for a monthly increase in the stipend union members receive to hold specialty sewer and water licenses. The increases will make the stipends more comparable to surrounding cities' contracts.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve the 2016-2018 labor agreement with the Minnesota Teamsters Local Public Employees' Union #320 for the Public Works Department, as presented.

Consider amending Chapter 14 – Animals of the Bayport City Code of Ordinances: Administrator Martin reviewed proposed changes to the ordinance, noting most of the revisions were administrative and designed to streamline and clean up existing language. He stated the current animal code conflicts with the zoning code regarding kennel licensing. To clean up the discrepancies, the proposed animal ordinance allows the keeping of any combination of up to three cats and/or dogs more than four months of age. Residents in the R-1 Zoning District (only the Point Road area) can apply for a private kennel license for more than three animals. There is a grandfather clause in the ordinance for residents who currently have more than three animals, allowing 365 days in which to comply. Police Chief Eastman researched the number of pets allowed in surrounding cities, and staff felt the combination of three cats and/or dogs was the most reasonable and manageable for Bayport's lot sizes. Attorney Pratt also provided updates to the dangerous dog section to ensure Bayport's ordinance is in line with state requirements. Attorney Pratt added that he recommended the City Administrator be designated as the hearing officer for appeals of a dangerous dog declaration. The current ordinance does not designate a hearing officer, and the City Council served in that capacity three years ago when the need arose.

Councilmember Goldston introduced the following ordinance and moved its adoption:

Ordinance #847

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 14 - ANIMALS, ARTICLE I. - IV.
OF THE BAYPORT CITY CODE**

The motion for adopting the foregoing ordinance was duly seconded by Councilmember McGann 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

Consider amending Appendix D – Fee Schedule of the Bayport City Code of Ordinances: Administrator Martin presented the 2016 fee schedule. He noted residents will pay a minimum fee of \$25 to rent a picnic shelter and that resident rates for the beach house have increased by \$25; however the beach house rental period will be increased from six hours to eight hours. Several new and/or revised fees were generated by changes to the animal ordinance. Discussion followed on increasing park rental fees to cover the cost of a reservation, and Mayor St. Ores suggested an annual 2-5% increase to keep up with rentals that require extra Public Works’ effort. Councilmember Hanson suggested increasing the \$100 seasonal maximum fee for ball fields. Councilmembers directed staff to research surrounding cities ball field fees and bring any recommended changes to the City Council in the near future, and to re-examine all park rental fees for potential increases in 2017.

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #848

**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 McGann 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

Consider appointments, designations, and City Council liaison assignments for 2016: Mayor St. Ores recommended eliminating participation in the Lower St. Croix Management Commission Partnership since the city is active with the Middle St. Croix Watershed Management Organization (MSCWMO). She said she will be unable to continue her liaison position with the MSCWMO in 2016, due to work commitments. Councilmember Goldston offered to serve in this capacity next year, with Mayor St. Ores as the alternate.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to accept the following appointments, designations and City Council liaison assignments for 2016:

- | | |
|--------------------------|--|
| Deputy Mayor | Connie Carlson |
| City Attorney | Eckberg Law Firm |
| City Engineer | SEH (John Parotti) |
| City Auditor | Schlenner Wenner and Co. |
| Deputy City Clerk | Asst. City Administrator (Sara Taylor) |
| Emergency Preparedness | Fire Chief (Allen Eisinger) |
| | Police Chief (Laura Eastman) |
| Deputy Fire Chiefs | Jason Severson |
| | Mike Galowitz |
| Weed Inspector | Mayor (Susan St. Ores) |
| Assistant Weed Inspector | Public Works Supervisor (Mel Horak) |
| Animal Control | Police Chief (Laura Eastman) |

Assessor	Washington County
Official Depository	First State Bank and Trust
Official Newspaper	Stillwater Gazette
Animal Impound Agency	St. Croix Animal Shelter-Woodbury
On Site Septic Inspection	Washington County
Financial Advisor	Northland Securities, UBS, FTN, Springsted, Inc.

Planning Commission Liaison	Patrick McGann/Susan St. Ores, alternate
Library Board Liaison	Connie Carlson/Michele Hanson, alternate
Cable Commission Liaison	Michele Hanson/Connie Carlson, alternate
Middle St. Croix Watershed Liaison	Dan Goldston/Susan St. Ores, alternate
Andersen Citizen Advisory Liaison	Dan Goldston/Michele Hanson, alternate

Consider City Council regular meeting and workshop dates for 2016: Administrator Martin reviewed the proposed dates for 2016, noting the two holiday changes in July and September.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to accept the 2016 City Council meeting and workshop dates as presented. Motion carried 5-0.

COUNCIL LIAISON REPORTS

Councilmember Hanson reported on the November 5, 2015 Central St. Croix Valley Joint Cable Communications Commission meeting. Administrator Kathy Cinnamon will be retiring in March 2016, and the commission plans to review all job duties and descriptions as part of the transition process. Staff continues to work with Comcast on the franchise renewal, and everyone was invited to attend the Breakfast with Santa event at the Valley Access studios on Saturday, December 12, 9:00 a.m.-12 noon.

Councilmember Carlson reported on the November 19, 2015 Library Board meeting. The Foundation Board has agreed to pay for upgrades to the library’s website. Several children’s events are planned for the Christmas school break and patrons can check the website for details. The next meeting of the Library Board is scheduled for December 17, 2015, 6:00 p.m., at the library.

Mayor St. Ores participated in the Lighting of the Village Green on December 2, and she recognized the Bayport Community Action League for sponsoring the event. She attended the Fire Department Advisory Committee meeting and reported the partner communities are pleased with the progress on the new Fire Hall. She will report on the December 10 meeting of the Middle St. Croix Watershed Management in January.

STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Eisinger reported the department’s call volume through November was 1,145, which is on pace to surpass last year’s total calls. He thanked department staff who responded to eight calls on Thanksgiving. He reviewed monthly department drills, meetings and community service events. Residents were reminded of the importance of clearing snow from driveways, sidewalks and around fire hydrants, and to never leave candles or other open flame items unattended.

Police Chief Eastman reviewed her written report, including past and upcoming events. She encouraged people to participate in the annual Toys for Tots drive; toys will be picked up from Bayport locations on December 16. The 2015 K-9 and Reserve Officer Program reports were reviewed. Four new Reserve Officers will be trained on December 10. She said residents should take steps to secure packages that are delivered to their homes to prevent them from being stolen.

Public Works Supervisor Horak reviewed his written report of tasks completed in November. He reminded residents to remove parked vehicles from the street after a snowfall over two inches to assist with snowplowing efforts and to remove snow/ice from sidewalks within 24 hours of accumulation.

Administrator Martin highlighted the library, finance, planning and administration reports, noting the city received a grant from Andersen Corporation for two new windows for the Perro Park warming house. The favorable weather conditions allowed for the installation of the new water main connecting well #3 to the water treatment system in November. Staff is working with the Department of Corrections on an interconnection of the city's water system to the prison's system, as an emergency backup source, which will also be funded by the Minnesota Pollution Control Agency. The building at 169 3rd Street North has been demolished and staff plans on finalizing the purchase of the property by the end of December, once final soil testing is completed to verify the soil can support new construction. Residents were encouraged to check out the progress on the new Fire Hall at 1012 5th Avenue North. The project is on budget and the building is on target for occupancy in March 2016. The deer culling effort in the Point Road area has not been as successful as hoped, with only 4-5 animals harvested and over 100 hours of bow hunting hours invested. Hunting will continue through the end of December, when the season concludes. Staff will re-evaluate the program for next year.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Hanson said she attended the annual holiday luncheon at the prison with Councilmember McGann and city staff. She enjoyed touring the public portion of the building and thanked the Department of Corrections staff for the meal and opportunity.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 8:30 p.m. Motion carried 5-0.

City Administrator/Clerk