

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 2, 2016
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of May 2, 2016 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, City Engineer John Parotti, City Attorney Andy Pratt, and Assistant City Administrator/Planner Sara Taylor

APPROVAL OF AGENDA

Administrator Martin requested the addition of the following consent agenda item: *Renewal of 2:00 a.m. on-sale liquor license for Mallards located at 101 5th Ave. S.*

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the amended May 2, 2016 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The April recycling award recipient is Clayton Norman who will be awarded for his recycling efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores said the 3rd annual Bark for Life, a fundraiser for the American Cancer Society, will be held at Barker's Alps Park on Saturday, May 14, 2016, 9:00 a.m.-12 noon.

OPEN FORUM

1. Natalie Warren, River Corridor Steward for the St. Croix River Association (SCRA), said the SCRA received a grant to work on shoreline protection for the Lower St. Croix River. She will be coordinating efforts with landowners, local governments, developers and realtors to protect the water quality, wildlife, and views of the St. Croix Riverway.
2. Tara Johnson, 620 Oakwood Street, inquired about action taken by the city to amend zoning code section #703.01, subsection 2, pertaining to garage construction. Mayor St. Ores said this topic is not on tonight's agenda and there has been no recent action on amending the ordinance.

CONSENT AGENDA

Mayor St. Ores read items 1-9 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 16-05

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-9 FROM THE
MAY 2, 2016 CITY COUNCIL AGENDA**

1. April 4, 2016 City Council workshop meeting minutes
2. April 4, 2016 City Council regular meeting minutes
3. April payables and receipts (check numbers 007044-007136)
4. April building, plumbing and mechanical permits report
5. Pay application #11 from Kraus Anderson and subcontractors for Fire Hall construction
6. Monetary donation request from Bayport American Legion Post 491 for Memorial Day Parade
7. Special event application from Scott Schilling, Fitness Quest LLC, for boot camp fitness classes at Barker's Alps Park
8. Renewal of agreement with Washington County to provide assessment services
9. Renewal of 2 a.m. on-sale liquor license for Mallards located at 101 5th Ave. S.

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	

PUBLIC HEARINGS

UNFINISHED BUSINESS

NEW BUSINESS

Consider a resolution supporting proposed legislation to confer Economic Development Authority powers to the Washington County HRA: Administrator Martin introduced Barbara Dacy, Executive Director for the Washington County Housing and Redevelopment Authority (HRA), who reviewed the HRA's initiative to add economic development powers to its enabling documents and give them more flexibility to assist communities with economic development efforts. The HRA drafted legislation to amend its enabling law and introduced a proposed bill for consideration by the Minnesota House and Senate during the 2016 session. If passed, the HRA would be renamed the Washington County Community Development Agency (CDA). Director Dacy requested support for the proposed resolution. Discussion followed on whether the county would have higher authority than Bayport on economic development matters and the potential tax liability for Bayport residents. Director Dacy said there is no intent to override or assume power and the HRA is seeking a collaborative relationship with the county's municipalities. Mayor St. Ores questioned the \$215,000 authorized by the county to set up this new function of the HRA, and Director Dacy said the dollars are allocated in the HRA's 2016 budget. Discussion followed on the potential increase in the tax levy and whether a smaller city like Bayport would benefit from the opportunity. Bayport's portion of the 2016 HRA levy is \$40,257. Mayor St. Ores noted the City Council's desire to keep city taxes low. The probability that the CDA's budget would increase annually would result in an added tax burden to city residents. Director Dacy said keeping taxes low is also one of the county board's key objectives and the impact of HRA programs helps the economy through various ways, including generating an increased tax base and putting money back into the economy through development projects. Administrator Martin said local businesses have expressed interest in establishing a stronger business climate and believes the CDA could assist in this area. To date, the HRA has received support for this legislation from all 15 municipalities it has approached and will be seeking approval from all 33 Washington County jurisdictions. Some councilmembers voiced hesitancy at approving the resolution until the City Council received more information on the initiative, particularly regarding funding for the program and its proposed achievable results.

Councilmember Hanson introduced the following resolution and moved its adoption:

RESOLUTION SUPPORTING PROPOSED LEGISLATION TO AUTHORIZE THE COUNTY OF WASHINGTON TO CONFER ECONOMIC DEVELOPMENT POWERS UPON THE WASHINGTON COUNTY HOUSING AND REVELOPMENT AUTHORITY

The motion failed for lack of a second.

Staff will seek input from the business community on the proposal to aid in further discussion on this topic and will work with the HRA to provide more information, potentially in a workshop setting prior to the June City Council meeting.

Consider amendments to Chapter 48 – Stormwater Management of the Bayport Code of Ordinances to incorporate Minimal Impact Design Standards (MIDS) for stormwater management and Chapter 58 – Utilities of the Bayport Code of Ordinances to incorporate regulations for illicit discharge into the municipal sanitary and storm sewer systems: Mike Isensee, Administrator for the Middle St. Croix Watershed Management Organization (MSCWMO), reported the City Council and Planning Commission met in a joint session prior to tonight’s meeting to review in detail the proposed ordinance amendments to participate in the MIDS program and meet the requirements for a Municipal Separate Storm Sewer System (MS4) community. Bayport was recently designated as an MS4 community, and the MIDS program addresses these requirements and encourages best practice stormwater management practices. An overview of the proposed amendments to Chapter 48 and Chapter 58 was provided. The amendments to Chapter 48 clarify statutory authority, findings and purpose; update definitions, scope and effect, plan review/approval procedures, approval standards, inspections and enforcement. Amendments to Chapter 58 modified city code to meet the illicit discharge requirements of the MS4 permit by clarifying prohibited connections and discharges to the city’s storm sewer system.

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #850

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 48 – STORMWATER MANAGEMENT
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 Dan Goldston – aye Patrick McGann – aye
Connie Carlson – aye Michele Hanson – aye

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #851

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 58 - UTILITIES 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 Dan Goldston – aye Patrick McGann – aye
Connie Carlson – aye Michele Hanson – aye

Consider a drainage and utility easement for the municipal parking lot project at 169 3rd Street North: City Engineer Parotti reviewed staff’s recommendation for stormwater management of the new municipal parking lot. Runoff from the lot will drain to an infiltration basin at the back (east) end of the

lot. Excess runoff will be collected in a new storm sewer pipe and directed east to Perro Creek within the proposed drainage and utility easement area. The city contacted the owner of 205 and 221 1st Avenue North and he is willing to grant a 10-foot wide permanent drainage and utility easement and a temporary construction easement for the project. Staff recommended approval of the easement agreement, as prepared by the city attorney. Administrator Martin said the property owner also acknowledged that certain plantings and a diseased tree will be removed during the installation process, and the city will work to restore and/or add replacement plantings in this area. Attorney Pratt said the easement agreement has been updated to state the temporary easement will terminate December 31, 2016, and the perpetual easement legal description has been revised to change “The northerly ten feet...” to “The southerly ten feet...” for both parcel descriptions on Exhibit B.

It was moved by Councilmember Goldston and seconded by Councilmember McGann to authorize the execution of a public drainage and utility easement agreement for the project at 169 3rd Street North, as presented, with the amendments stated by counsel. Motion carried 5-0.

Consider an amendment to Appendix D – Fee Schedule of the Bayport City Code of Ordinances to establish rental fees for the Inspiration Nature Center building: Administrator Martin said the city recently acquired ownership of the Inspiration Nature Center building as part of the completion of the final requirements of Phase 1 of Inspiration. At a March 28 workshop on-site at the Nature Center, the City Council directed staff to investigate renting the building as a park facility and prepare a recommendation for rental fees. Proposed fees were reviewed and it was noted non-profit groups would receive the resident rate. Administrator Martin said the required two-hour minimum rental would cover the cost of hiring our current cleaning service to clean the building. The Inspiration Homeowner’s Association Board has agreed to leave the current furniture and small appliances in exchange for using the building for their board meetings, approximately five per year, at no charge. Staff recommended authorizing an amendment to the Fee Schedule to establish new rental fees for the Inspiration Nature Center. It was suggested that photos of the building be added to the city’s website to showcase its features for people interested in renting the facility.

Councilmember Hanson introduced the following ordinance and moved its adoption:

Ordinance #852

**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 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

Patrick McGann – aye

COUNCIL LIAISON REPORTS

Councilmember McGann reported an application for Planning Commission review was withdrawn on the day of the scheduled meeting; however the meeting was held on April 25, to take care of some administrative matters.

Councilmember Carlson reported on the April 19, 2016 Library Board meeting, where the library’s new website was highlighted. The spring author’s luncheon is scheduled for Saturday, May 14; tickets are available online or at the library. A book sale is also scheduled for Saturday, May 21. The library is upgrading its circulation system to one that uses radio frequency identification tags in its materials to be in line with all Washington County libraries. As part of the update, patrons will be able to check out

their own materials. Parents were encouraged to check out the summer programs the library has scheduled for children.

Councilmember Hanson reported on the April 28 meeting of the Central St. Croix Valley Joint Cable Commission. She said the new office administrator is doing a good job and is reviewing and updating processes, including bookkeeping services and a review of the commission's bylaws. Going forward, Commission meetings will be held on the third Monday of the month, 6:00 p.m., at the Valley Access Channels Studio.

Mayor St. Ores reported on the Community Showcase sponsored by the Greater Stillwater Chamber of Commerce, the Fire Hall ribbon cutting and public open house events, and the fundraiser for Firefighter Mike Bell.

STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Eisinger reviewed his written report and said the department responded to 104 calls in April. He thanked everyone who helped with the very successful ribbon cutting and public open house events for the new Fire Hall. The department will be using the smoke generator for training at the new station on May 9. He said the department will be represented on May 3 at the funeral of Bayport resident and former firefighter Don Wilmes. He reminded residents to follow the regulations for recreational fires (available on the city's website) and to be mindful of smoke that may drift toward a neighbor's property. Councilmember Carlson said she received many positive comments about the training area at the new Fire Hall, and Chief Eisinger noted the benefits of the in-house training area. Assistant Chief Jason Severson processes burning permit requests; however it was noted very few are issued in the City of Bayport, due to land restrictions. He said burn permits are not intended for disposing of debris, rather for fire management of open areas, e.g., prairie grass in Inspiration.

Police Chief Eastman reviewed her written report and noted the K9 demonstration at the April 10 Community Showcase was a positive experience. She reported on the annual Police Chief's Conference and said the City Hall security session was very informative. The department recently interviewed prospective reserve officers and four candidates will receive training this weekend. She reminded residents that Highway 95 will be detoured the morning of May 30 for the annual Memorial Day parade.

Public Works Supervisor Horak reviewed his written report and noted the boarding dock at the 4th Avenue North boat launch has been installed. Residents were reminded that boat trailer parking is prohibited on city streets.

Assistant City Administrator/Planner Taylor reported the Planning Commission met on April 25, when new Planning Commissioners Coleen Siegfried and John Dahl were sworn in. Beth Kelly was elected as Chairperson and Brad Abrahamson as Vice Chairperson. A conditional use permit application for 174 3rd Street South was withdrawn at the last minute because the applicant decided to pursue other business opportunities. Upcoming city events were highlighted; detailed information is available on the city's website.

Administrator Martin reported the city received over \$7,900 in rebates from Xcel Energy for energy efficiencies realized in the construction of the new Fire Hall. The city will be accepting applications for the new Public Works Director/City Engineer position until May 10, with the expectation to have an employment offer approved at the June City Council meeting. A special City Council meeting may be scheduled in May to interview finalists for the position. The new owners of the former La Cocinata restaurant on 5th Avenue North are updating the space with plans for a new medium-to-high end

restaurant, serving American cuisine, with liquor service. The city has not received any updates from the property owner at 243 3rd Street North relative to a new use for the building.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

ADJOURNMENT

It was moved by Councilmember Goldston and seconded by Councilmember Hanson to adjourn the meeting at 7:58 p.m. Motion carried 5-0.

City Administrator/Clerk