

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
AUGUST 3, 2015
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of August 3, 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-elect Allen Eisinger, Public Works Supervisor Mel Horak, City Engineer John Parotti, City Attorney Andy Pratt, 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 August 3, 2015 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The July recycling award recipient is Suzanne Hill who will receive a recycling award her efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores proclaimed Tuesday evening, August 4, 2015 as Night to Unite in Bayport, and encouraged everyone to stop by Lakeside Park from 5:00-8:00 p.m.

OPEN FORUM

1. Diane McGann and Lynn Vernon, representing the Master Gardeners of Washington County, presented awards to the winners of this year's "Bayport in Bloom" front entry contest. Winners were 915 Inspiration Parkway South (Shannon and Michele Pieper), 294 3rd Street North (Bayport City Hall), and 750 Highway 95 (Croixdale). The following received honorable mention certificates: 790 2nd Avenue North (Nancy Edwards), 1137 Pioneer Trail (Jason and Allissa Obler), and 490 4th Avenue North (Bethlehem Lutheran Church). Winners received a "Bayport in Bloom" watering can and \$25.00 Rose Floral certificate. Mayor St. Ores thanked the multitude of partnerships with individuals and organizations for their assistance in creating and maintaining the landscaping features at City Hall.
2. Police Chief Eastman introduced an individual who shared an email he wrote to Officer John Miller after an arrest last year that helped him turn his life around and achieve 11 months of sobriety.

CONSENT AGENDA

Mayor St. Ores read items 1-13 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-13 FROM THE
AUGUST 3, 2015 CITY COUNCIL AGENDA**

1. July 6, 2015 City Council workshop meeting minutes
2. July 6, 2015 City Council regular meeting minutes
3. July payables and receipts (check numbers 005837-006088)
4. July building, plumbing and mechanical permits report
5. Donation of \$25.00 from Jane Keyes for flower baskets
6. Donation of \$50.00 to Police Department from Jeff and Donna Todd
7. Retirement of Mark Swenson from the Bayport Fire Department effective August 3, 2015
8. Agreement with Library Strategies to complete hiring search for Library Director position
9. Purchase of replacement fire hydrants and related equipment for the city's water department
10. Pay application #2 from Miller Excavating for Fire Hall utility extension and turn lanes
11. Pay application #2 from Kraus Anderson and subcontractors for Fire Hall grading and excavation
12. Change order #1 to contract with Miller Excavating for Fire Hall site work
13. Change order #1 to contract with Northland Paving LLC for Fire Hall site work

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

Mayor St. Ores thanked outgoing Fire Chief Mark Swenson for his dedication and service to the Bayport Fire Department for the past 25 years and recognized his efforts to bring a new Fire Hall to the community.

PUBLIC HEARINGS

Consider a resolution adopting a modification to the Tax Increment Finance Plan for Tax Increment Finance District No. 1: Administrator Martin and Attorney Pratt explained the public hearing for a proposed modification to the Tax Increment Finance (TIF) Plan was left open after the July 6, 2015 meeting to provide time for additional input, specifically from Washington County and the Stillwater Area School District. No comments were received on the TIF Plan modification, which allows the city to use revenues from TIF District No. 1 to redevelop the property at 169 3rd Street North into a proposed municipal parking lot. Attorney Pratt explained the resolution would modify the budget of the TIF District to allow use of the funds for the proposed redevelopment project.

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

Councilmember Carlson introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING A MODIFICATION TO THE TAX INCREMENT FINANCING
PLAN TAX INCREMENT FINANCING DISTRICT NO. 1
(A REDEVELOPMENT TIF DISTRICT)**

The motion for adopting the foregoing resolution 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

UNFINISHED BUSINESS

NEW BUSINESS

Consider certification of Bayport Fire Department Fire Chief election results and swearing in new Fire Chief: Administrator Martin said the Fire Chief is elected every three years by the department membership and a total of 21 votes were cast in the July 2015 election. Fire Chief Mark Swenson, Assistant Chief Allen Eisinger and Captain Jake Eisinger ran for the position, and Assistant Chief Eisinger was elected as the new Fire Chief. His term will be August 3, 2015-July 31, 2018.

It was moved by Councilmember McGann and seconded by Councilmember Carlson to certify the results of the Bayport Fire Department Fire Chief election and appoint Allen Eisinger as Fire Chief for a term expiring July 31, 2018. Motion carried 5-0.

Mayor St. Ores administered the Oath of Office to Fire Chief Allen Eisinger. Chief Eisinger thanked outgoing Chief Swenson for his years of service and recognized the department's firefighters for their dedication and performance.

Consider adoption of Inspiration Stewardship Foundation Bylaws, Conflict of Interest Policy, Articles of Incorporation, and Board Resolution: Attorney Pratt reviewed his memorandum explaining the formation of an independent stewardship foundation to assist the Minnesota Land Trust and the City of Bayport in managing the protected open space area in the Inspiration development. Per the original 2005 developer's agreement, the city must first approve the governing documents as prepared by the legal counsel for the owner of the protected property, Inspiration Holdings, LLC. He noted that the Foundation Board will eventually consist of six people, one of whom will be a city staff member or City Councilmember, and two others who will be appointed by the City Council. Councilmember Goldston questioned whether this is a typical process, and Attorney Pratt noted this is a unique property with multiple open space requirements built into the developer's agreement. Councilmember Carlson added that setting up a system to manage the protected open space was an integral part of the process in approving the Inspiration development in 2005.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adopt the Inspiration Stewardship Foundation Bylaws, Conflict of Interest Policy, Articles of Incorporation, and Board Resolution, as presented. Motion carried 5-0.

Consider authorization to solicit quotes and proceed with 2015 Street Sealcoat Project: Administrator Martin reviewed the 2015 Street Sealcoat Project in the east central part of the city, including the Lakeside Park parking areas, Central Avenue through Lakeside Park, Lake Street South, Lakeside Drive, a portion of 2nd Avenue South near Lakeside Park, and Osprey Boulevard on the south end. A total of \$70,000 has been budgeted for the project, which includes sealcoating, crack filling and engineering services. Staff is requesting authorization to solicit quotes and proceed with the budgeted project before the asphalt companies close for the season. Bayport is not combining its project with other cities this year because the partner cities are not soliciting bids at this time. Staff anticipates having a report on the condition of the city's aging infrastructure available early next year.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to authorize city staff to solicit quotes and proceed with the 2015 Street Sealcoat Project. Motion carried 5-0.

COUNCIL LIAISON REPORTS

Councilmember Hanson said the St. Croix Valley Joint Cable Commission is updating the equipment in the council chambers at City Hall. New television monitors have been installed and updated camera equipment will be installed soon. When the new broadcasting systems are in place, the Cable Commission plans to offer online viewing of city meetings.

Councilmember Carlson reported the Library Board is accepting applications for the open library director position, with the interview process anticipated to begin next week. An interim library director may be hired until the new director is on staff.

Councilmember McGann stated the Planning Commission did not meet in July, and staff is interviewing candidates to fill the open seats on the commission. He said the new railroad crossings arms on Point Road are operational and the city is working with the railroad to address resident concerns. He will provide updates as necessary. Motorists can report blocking issues directly to the railroad at the telephone number listed on the signs posted at the crossing.

STAFF/CITY ADMINISTRATOR REPORTS

Police Chief Eastman reviewed her written report and said the recent special events at Lakeside Park went well. The Police Department is holding the annual Youth Safety Camp at Lakeside Park on August 3 and 4, followed by Night to Unite on August 4, from 5:00-8:00 p.m. She commented on the successful working relationship between the Police and Fire Departments under Fire Chief Swenson's leadership and thanked him for his service.

Public Works Supervisor Horak reviewed his written report and reminded residents that grass needs to be maintained to a maximum height of six inches. Grass clippings should not be blown into the street.

Assistant City Administrator/Planner Taylor said the city newsletter was recently distributed and the next *Bayport News* is scheduled for late September/early October. Residents were asked to report any postal delays in receiving the newsletter to City Hall. Interviews have been scheduled for the vacant seats on the Planning Commission and a recommendation for appointment(s) is anticipated at the September City Council meeting. She is working with Mattamy Homes to execute the final documents to develop 76 single-family homes in Inspiration. A model home is expected to be ready in time for the spring Parade of Homes tour. Staff has also been working with Inspiration Holdings, LLC, to transition control of the homeowner's association to a resident-based board of directors. She thanked the participants in the "Bayport in Bloom" front entry contest and the Washington County Master Gardeners for coordinating the contest.

Administrator Martin provided an update on the Fire Hall construction and said the project is on schedule. He is in discussions with River Valley Deer Management and Xcel Energy to coordinate another deer culling event in the Point Road area this fall. The goal is to secure the necessary approvals as soon as possible so the bow hunting can begin earlier in the season to be more effective.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Hanson thanked First State Bank and Trust for installing the welcome sign at the north end of Bayport as part of their 100 Year Anniversary celebration.
2. Councilmember Hanson reminded residents to mark their calendars for the annual Derby Days celebration on September 19. Instead of the "Taste of Bayport," the Lion's Club will be providing a food component for the event.

3. Mayor St. Ores thanked Jane Keyes for her donation to the flower basket program and Donna and Jeff Todd for their donation to the Police Department.
4. Councilmember Hanson recognized Fire Chief Swenson's commitment to the city and Fire Department and thanked him for his service.
5. Mayor St. Ores stated the City Council would be adjourning into closed session pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(c)(3) to develop or consider offers or counteroffers for the purchase of the property at 169 3rd Street North.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to move into closed session at 7:02 p.m. Motion carried 5-0.

Mayor St. Ores reconvened the regular open meeting at 7:55 p.m. Attorney Pratt said the City Council considered a potential purchase offer for the property at 169 3rd Street North in Bayport during the closed session. No binding decisions were made and Administrator Martin stated the City Council could now act on the purchase agreement presented during the closed session.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to authorize staff to move forward with a purchase agreement to acquire the property at 169 3rd Street North, Bayport, Minnesota. Motion carried 5-0.

ADJOURNMENT

It was moved by Councilmember Goldston and seconded by Councilmember Carlson to adjourn the meeting at 7:55 p.m. Motion carried 5-0.

City Administrator/Clerk