

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 4, 2021
6:00 P.M.**

** Due to COVID-19 and social distancing protocols, this meeting was conducted by electronic means as permitted by Minnesota Statute 13D.021 due to a health pandemic or declared emergency. **

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of January 4, 2021, to order and asked Councilmembers, staff, and the audience to join in pledging allegiance to the American Flag.

SWEARING IN OF MAYOR SUSAN ST. ORES

City Administrator Bell administered the Oath of Office to Mayor St. Ores.

SWEARING IN OF CITY COUNCILMEMBER CONNIE CARLSON

SWEARING IN OF CITY COUNCILMEMBER ETHAN GILMORE

Mayor St. Ores administered the Oath of Office to Councilmembers Carlson and Gilmore.

ROLL CALL (St. Ores, Carlson, Dahl, Hanson, and Gilmore)

Members present: Mayor Susan St. Ores and Councilmembers Connie Carlson, Michele Hanson, John Dahl, and Ethan Gilmore (present by electronic means)

Staff present: City Administrator Adam Bell, Assistant Administrator/Planner Sara Taylor, Fire Chief Allen Eisinger, Public Works Director Matt Kline, City Engineer John Parotti, and City Attorney Tom Loonan (present by electronic means)

APPROVAL OF AGENDA

Administrator Bell noted the city did receive a letter of interest from Andrew Kaeding, 1002 Inspiration Parkway N., to serve as the citizen volunteer representative to the St. Croix Valley Joint Cable Commission, which was recently posted in the *Bayport Briefe*-newsletter and on the city's website. He recommended this appointment be added to item #3 of New Business for consideration.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve the City Council agenda with the amendment to item #3 of New Business and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

Mayor St. Ores noted the December recycling award recipient is Jim Kyndberg at 332 4th St. N. who will be awarded for recycling efforts, with funding made possible with a grant from Washington County.

OPEN FORUM

There were no public comments.

CONSENT AGENDA

Mayor St. Ores read items 1-6 on the Consent Agenda. Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 21-01

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-6 FROM THE
JANUARY 4, 2021 CITY COUNCIL AGENDA**

1. December 7, 2020 City Council regular meeting minutes
2. December payables and receipts
3. December building, plumbing, mechanical, and zoning permits report
4. Commercial refuse hauling licenses for 2021
5. Appointment of Adriana Temali-Smith to the Library Board for a 3 year term January 1, 2021 – December 31, 2023
6. Application for optional 2 a.m. liquor license from Not Justa Bar located at 193 3rd St. N.

The motion for adopting the foregoing resolution was duly seconded by Councilmember Dahl and upon roll call being taken thereon, the following voted via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

PUBLIC HEARINGS

There were no public hearings.

UNFINISHED BUSINESS

1. Discuss a traffic analysis report prepared by City Engineer consulting firm SEH: Administrator Bell and City Engineer Parotti provided an overview of the discussion that occurred at the workshop prior to the regular meeting. Traffic Engineer Chad Jorgensen covered specific details of the report, including intersection control, speed limits, and speed humps, as well as options for implementing these components and advantages/disadvantages of each. Administrator Bell noted the City Council expressed a desire to proceed with a speed limit reduction study to less than 30 MPH and provided an associated cost estimate. SEH reiterated that it may be beneficial to postpone such a study until further data can be gained from the various safety improvements as a result of the Highway 95 Improvement Project this past year. This data could provide valuable information to confirm or negate current traffic, speed, and/or safety issues and recommendations for improvements. SEH also recommended the city consider including an opportunity for public input on the matter. Discussion ensued on timing of the speed limit reduction study and potential impacts on the 2021 budget.

It was moved by Councilmember Dahl and seconded by Councilmember Hanson to authorize SEH to prepare a proposal to conduct a speed limit reduction study for consideration at a future meeting and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

NEW BUSINESS

1. Consider approving six-month extension for carry over of accrued benefit time for city employees due to the COVID pandemic: Administrator Bell noted that due to the pandemic and limited staffing, several employees were unable to use accrued vacation in 2020. The city's personnel policy specifies that employees may not carry over from one calendar year to the next, any more vacation than they earn in a calendar year. As a result, several employees have a surplus of vacation subject to loss under the current policy. To allow employees the opportunity to use this vacation in 2021, staff is recommending an extension for carry over of accrued benefits. Discussion followed on the feasibility of staff utilizing vacation within the proposed six-month timeframe and administering the carry over to ensure accrued benefit time did not result in requests by employees for monetary compensation in lieu of paid time off and/or further carry over into 2021. City Attorney Loonan outlined a scenario whereby employees would be required to exhaust 2021 vacation time before utilizing any 2020 carry over, which would address concerns expressed by the City Council.

It was moved by Councilmember Hanson and seconded by Councilmember Gilmore to approve an extension for carry over of accrued benefit time for city employees due to the COVID pandemic, with the direction that employees exhaust 2021 vacation before utilizing any 2020 carry over by December 31, 2021, and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

2. Discuss potential COVID relief efforts for local businesses: Administrator Bell summarized the Governor's Executive Orders that have had an impact on business operation, particularly bars and restaurants. In recognition of these impacts, staff has been researching opportunities to pro-rate or refund a proportionate amount of certain business fees, such as on-sale liquor licenses. He provided a summary of 2020 and 2021 liquor licenses by establishment, noting the city receives approximately \$9,000-\$10,000 in fees annually. He noted that several other communities and the county have implemented similar refund policies, which average to be a 25% reduction in fees. While a refund or reduction in these fees was not accounted for in the adopted 2021 budget, the City Council does have a budgeted contingency fund that could be used to offset the loss of revenue. Discussion followed on the significance of a 25% fee reduction, with some councilmembers noting many businesses were impacted or had limitations of on-sale liquor sales for a majority of 2020, perhaps warranting a larger reduction.

Mayor St. Ores recognized business owners/managers in attendance at the meeting representing Manger Restaurant and Wine Bar, Not Justa Café/Bar, and Woody's Bar and Grill and invited their comments/input on the matter. Mike Willenbring, Manger Restaurant and Wine Bar, asked for clarification on why certain entities were eligible to receive a portion of the city's allocation of federal CARES Act funds to supplement unexpected expenses or compensate for loss of income, but not local businesses. He also noted wayfinding signage in the commercial corridor would be helpful to increase awareness/direct visitors to businesses. Administrator Bell responded that because the city does not have an Economic Development Authority, we were unable to issue grants directly to businesses, only specific public, civic, and/or non-profit entities. He did reiterate that Washington County offered \$10 million in small business grants with the Coronavirus Relief Funding and five Bayport businesses received funding from the county. He added now that the Highway 95 Improvement Project is complete, the city intends to resume discussions with MnDOT on posting wayfinding signage in the business corridor.

Discussion ensued on the possibility of refunding a portion of on-sale liquor license fees from 2020 and revisiting further reduction of 2021 fees later in the year, depending upon the duration of the current and impending Governor's Executive Order(s). The consensus of the City Council was to pursue a fee reduction and utilize contingency funds to offset the shortfall.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 21-02

**RESOLUTION APPROVING A 75% REFUND FOR 2020 ON-SALE AND SUNDAY
LIQUOR LICENSE FEES**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Dahl and upon roll call being taken thereon, the following voted via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

3. Consider appointments, designations, and City Council liaison assignments for 2021: Administrator Bell reviewed the appointments and designations from 2020, noting that no changes were recommended for 2021, with the exception of adding the appointment of Andrew Kaeding to serve as the citizen volunteer representative

to the St. Croix Valley Joint Cable Commission. Individual Councilmember liaison assignments were discussed and agreed to, as follows:

Middle St. Croix Watershed Liaison	John Dahl	Susan St. Ores, alternate
Planning Commission Liaison	Michele Hanson	Connie Carlson, alternate
Library Board Liaison	Connie Carlson	Susan St. Ores, alternate
Cable Commission Liaison	Ethan Gilmore	Michele Hanson, alternate
Andersen Citizen Advisory Liaison	Michele Hanson	John Dahl, alternate

It was moved by Councilmember Hanson and seconded by Councilmember Dahl to approve to the 2021 appointments, designations, and City Council liaison assignments and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye	Connie Carlson- aye	Ethan Gilmore - aye
John Dahl - aye	Michele Hanson -aye	

4. Consider City Council regular meeting dates for 2021: Administrator Bell reviewed the proposed meeting dates, noting the regular July and September meetings need to be rescheduled, due to the Independence and Labor Day holidays. Following discussion, it was agreed to designate July 12 and September 13 as alternative meeting dates. All other meetings would be held on the first Monday of the month.

It was moved by Councilmember Carlson and seconded by Councilmember Dahl to approve to the City Council regular meeting dates for 2021 and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye	Connie Carlson- aye	Ethan Gilmore - aye
John Dahl - aye	Michele Hanson -aye	

CITY COUNCIL LIAISON REPORTS

Councilmember Carlson acknowledged the appointment of Adriana Temali-Smith to the Library Board for a 3-year term.

Councilmember Dahl noted that an expansion project at St. Mike's Cemetery was recently reviewed by the Middle St. Croix Watershed Management Organization and will be considered by the city in the coming month.

STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Eisinger reported that the December call volume was 79, compared to 117 in 2019. The year to date volume is 946 calls, which is down from 1,254 calls in 2019. COVID protocols continue, including distance learning for drills and training. The car seat safety clinic held on December 12 was well attended.

Public Works Director Kline reported on the status of the Perro Park ice skating rinks, multiple shoreline/riverway projects, MS4 permit requirements, and best management practices for controlling phosphorus. The department is also working on improvements to the storage area located south of the Public Works building, including the installation of a bin block system to keep materials more organized.

Assistant Administrator/Planner Taylor reported on license renewals, distribution of the winter e-newsletter, completion of a Habitat Management Plan for the Clean Water Land and Legacy project, and the 2040 Comprehensive Plan update. She acknowledged an upcoming CUP application for St. Mike's Cemetery will be heard by the Planning Commission in January and a conservation easement would be finalized for the last two remaining Inspiration outlots in February. The December meeting of the Allen S. King Plant Reuse Advisory Panel meeting focused on the decommissioning process for the plant.

Administrator Bell reported on the transition of waste hauling services from Republic Services to Tennis Sanitation. He conducted an orientation session for new Councilmember Ethan Gilmore on December 28, accompanied by City Attorney Loonan. The League of Minnesota Cities is holding a series of upcoming training

sessions for both new and experienced city officials and encouraged the City Council to attend if desired.

COUNCIL ITEMS AND ANNOUNCEMENTS

It was announced that the Greater Stillwater Chamber of Commerce will be holding a “Toast and Topics” meeting on January 6, featuring presentations by the state senator and representatives.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Dahl to adjourn the meeting at 8:38 p.m. and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye
John Dahl - aye

Connie Carlson- aye
Michele Hanson -aye

Ethan Gilmore - aye

City Administrator/Clerk