

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 7, 2013
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of January 7, 2013 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

Mayor St. Ores requested a moment of silence in remembrance of former City Councilmember Mark Ostertag.

SWEARING IN OF MAYOR SUSAN ST. ORES

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

SWEARING IN OF CITY COUNCILMEMBER CONNIE CARLSON

Mayor St. Ores administered the Oath of Office to Councilmember Connie Carlson.

SWEARING IN OF CITY COUNCILMEMBER DAN GOLDSTON

Mayor St. Ores administered the Oath of Office to Councilmember Dan Goldston.

ROLL CALL

Members Present: Mayor Susan St. Ores, Councilmembers Connie Carlson, Dan Goldston, and Michele Hanson

Members Absent: None

Staff Present: Administrator Mitch Berg, Police Chief Laura Eastman, Deputy Fire Chief Allen Eisinger, Public Works Supervisor Mel Horak, Engineer Barry Peters, Attorney Andy Pratt, Fire Chief Mark Swenson, and Assistant Administrator/Planner Sara Taylor

APPROVAL OF AGENDA

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the January 7, 2013 City Council agenda. Motion carried 4-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The December recycling award recipient was Tom Warner who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores noted the tentative Board of Appeal and Equalization Open Book meeting schedule is posted at City Hall and on the city website.
3. Mayor St. Ores recognized resident Rana Kraftson with a Letter of Commendation and Lifesaving Award for her quick thinking on December 11, 2012. Rana was a passenger on a school bus when the bus driver suffered a medical emergency. She was able to stop the bus and radio for assistance.

OPEN FORUM - None

CONSENT AGENDA

Mayor St. Ores read items 1-16 on the consent agenda.

1. December 3, 2012 City Council workshop meeting minutes
2. December 3, 2012 City Council regular meeting minutes
3. December 3, 2012 City Council closed meeting summary
4. December payables and receipts (check numbers 1135260-1135388)
5. December building, plumbing and mechanical permits report
6. Fire protection and rescue service contracts for 2013
7. Pay application #1 from Infratech Infrastructure Technologies for I/I manhole rehabilitation improvements
8. Agreement with Washington County for subsurface sewage treatment system inspection services
9. Agreement with Animal Humane Society for impound housing services for 2013
10. Renewal of PERA leave certification/budget savings program for 2012
11. Joint powers agreement with Washington County Sheriff's Office to purchase fuel for the Police and Fire Departments
12. Renewal of safety consulting and training services for city employees
13. Salary step and pay compensation schedule
14. Resignation of City Administrator Mitch Berg
15. Donation of \$200.00 for Police Department from Harold Radke
16. Donation of \$100.00 for Fire Department from Roger Miller and Mary Zweber

Councilmember Goldston introduced the following resolution and moved its adoption:

Resolution 13-01

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-16 FROM THE
JANUARY 7, 2013 CITY COUNCIL AGENDA**

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

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Mayor St. Ores reviewed the December 13, 2012 meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). Bayport's contribution to the 2013 MSCWMO operating budget will be \$13,214.51. The next meeting is scheduled for Thursday, January 10, 2013.

Mayor St. Ores thanked the youngsters attending Pony Preschool for creating and sharing a 3D map of Bayport. The project will be on display at City Hall during the month of January.

STAFF/CITY ADMINISTRATOR REPORTS

Police Chief Eastman extended the department's condolences on the death of Councilmember and Firefighter Mark Ostertag and recognized his support of Police Department activities. She reviewed her written report, noting the Police Department responded to 3,297 calls in 2012, an increase of approximately 150 from 2011.

Deputy Fire Chief Eisinger and Fire Chief Swenson reviewed the department's written report, noting the breakdown of critical equipment that needed to be ordered and replaced in a timely manner. Chief Swenson has ordered ten replacement air packs and a new compressor and anticipates requesting additional air packs next month to provide consistency for this type of equipment. He noted the

department uses the state bid for purchases to realize the lowest pricing available. The department is also developing a replacement plan for equipment to minimize future breakdowns of critical equipment. The 2012 run summary was handed out, indicating the department made 1,006 runs, compared with 737 in 2011, a 27% increase.

Assistant Administrator/Planner Taylor reviewed her report. She noted the City Council held a workshop on a master plan for Perro Park improvements prior to tonight's regular meeting, and a public comment session will be scheduled for late January or early February. The preliminary concepts will be available for review at City Hall and on the city's website, and residents are encouraged to provide input. The Inspiration development open space restoration and management plan has been updated and recorded with Washington County, and the prescribed burns for this past fall have been completed. Due to dry conditions, planned spraying and planting work has been delayed until spring; however, there will be some additional cutting and burning of downed timber this winter.

Public Works Supervisor Horak stated the department took advantage of the warmer weather to work on water valve/curb stop issues, tree trimming, and cleaning/painting of the ice rink skating house. Department personnel also responded to a significant snowfall event, read the utility meters for the 4th quarter billing cycle, and prepared the ice skating rinks.

Administrator Berg reviewed the Finance and Building Departments quarterly reports. In addition to the written summary, he reported the Finance Officer is preparing the W-2 statements that should be available in the near future. He noted 14 building permits for new single family home construction in the Inspiration development were issued in the 4th quarter, and this construction trend is expected into 2013.

Administrator Berg summarized his written report. In addition, he stated the Metropolitan Council will provide the city with a grant of up to \$73,570.00 for its current inflow and infiltration project. He estimates the city will end the 2012 fiscal year with a surplus of \$75,000.00-\$125,000.00.

CITY BUDGET AND LEVY OVERVIEW FOR 2013

Administrator Berg provided a summary of the final 2013 budget, noting it was published in the city's official newspaper on December 28, 2012. He noted the City Council allocated an additional \$29,600.00 to supplement the park maintenance and capital budgets at the December 3, 2012 meeting. The capital outlay portion of the general fund budget includes replacement of a Fire Department pump truck and a one-ton snowplow truck; the current vehicles are over 20 years old.

UNFINISHED BUSINESS – None

NEW BUSINESS

Consider additional unbudgeted expenditures for 2013: Administrator Berg expressed dismay that the city was unable to secure grant funding for some of the following items; and as a result, he requested consideration to fund these unbudgeted expenditures : City Hall computer server and backup system (\$1,500.00, plus monthly off-site storage fee of \$189.00); Barker's Alps Park buckthorn management plan (\$1,500.00); updating Public Works fire alarm and sprinkler monitoring panel (\$1,238.00); updating Public Works radios to comply with federally mandated narrowband frequency (\$1,065.00); Police Department online investigation system (\$1,560.00/year); and connecting the Fire Department warning siren to the city's new emergency backup generator (\$5,500.00). The total expenditure request is approximately \$15,000.00. Chief Eastman explained that the investigation system would supplement the Bureau of Criminal Apprehension and Washington County background checks by accessing records not currently examined. She stated the Oak Park Heights and Stillwater Police Departments utilize the requested system and she has implemented over \$900 in savings that would help offset the cost. The system has a broad range of access checks, including property records and social media. Fire Chief

Swenson stated he is hopeful the city will receive some grant funding from Washington County for the Fire Department siren connection.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve the six additional expenditures for 2013. Motion carried 4-0.

Consider amending Chapter 2 – Administration of the Bayport City Code of Ordinances related to educational training and tuition reimbursement for city employees: Administrator Berg explained recommended changes to the ordinance that would cap reimbursement at \$3,000.00 per calendar year and outlines consequences/repayment conditions should an employee resign or terminate employment within three years from the date of completing a class. Councilmember Goldston recommended adding a reimbursement percentage based on course completion, in the event of involuntary termination. Staff will revise the ordinance amendment, based on Councilmember input, for consideration at the next meeting.

Consider authorizing the purchase of replacement breathing apparatus and compressor for the Fire Department: The compressor used to fill the firefighters' air packs failed again and is no longer reliable. Administrator Berg reviewed two bids for a 6,000 psi compressor, with the low quote of \$22,044.00 received from MES. MES's quote for ten Scott air packs (\$59,912.50) and two RIT packs (\$6,006.00) matched the state bid pricing. Staff recommended purchase of the replacement breathing apparatus and compressor from MES for a total cost not to exceed \$105,000.00, which includes additional freight, installation and sales tax fees. This expenditure would be funded by the 101 Fire Equipment Replacement account, which has an approximate balance of \$500,000.00.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to authorize the expenditure of the replacement compressor and new air packs as requested by Fire Chief Swenson. Motion carried 4-0.

Fire Chief Swenson requested direction from the City Council on how to proceed with ordering the replacement fire engine that was approved as part of the 2013 Capital Improvement Plan. He indicated it is a lengthy process and he will be meeting with the City Attorney this week to discuss financing options. The general consensus of the City Council was to review the project at an upcoming meeting when more details are available.

Consider establishing City Council workshop dates for 2013: Staff proposed setting workshop dates on March 4, June 3, September 3 and December 2, 2013, at 4:30 p.m., just prior to regularly scheduled City Council meetings. The workshops could be cancelled if there is no city business to discuss.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to establish the City Council workshop dates for 2013 as outlined above. Motion carried 4-0.

Consider adopting a resolution recognizing a vacancy on the Bayport City Council: Administrator Berg explained that a vacancy on the City Council must be declared upon the death of Councilmember Mark Ostertag, whose term would have expired December 31, 2014. This action will allow the City Council to fill the vacant seat.

Councilmember Goldston introduced the following resolution and moved its adoption:

Resolution 13-02

**RESOLUTION RECOGNIZING A VACANCY
ON THE BAYPORT CITY COUNCIL**

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

Administrator Berg and City Attorney Pratt explained that the City Council has the option of appointing someone to temporarily fill the vacant seat until the next general election or holding a special election. There would be a cost to hold a special election and the city would be required to first adopt an ordinance describing when a special election could occur upon a vacancy on the City Council. The general consensus of the City Council was to table action on this item to a future meeting.

Consider authorization to begin the hiring process for the City Administrator position: Administrator Berg stated the last hiring process for the City Administrator position was done internally and took approximately five months. Because his resignation is effective March 2, 2013, he recommended the city hire a consultant to assist the city with the search and keep the hiring process on schedule. He has obtained estimates of \$8,500.00-\$15,000.00 for this service. Another suggested option is to contract with an interim City Administrator to help with the hiring process. Mayor St. Ores believes the City Council needs time to evaluate the needs of the city, overall budget and requirements for the position before taking action. The City Council decided to table discussion to a future meeting.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. On behalf of the City Council, Mayor St. Ores expressed heartfelt condolences to the family of fellow colleague and Councilmember Mark Ostertag.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:20 p.m. Motion carried 4-0.

City Administrator/Clerk