

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 3, 2011
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of October 3, 2011 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 Mark Ostertag

Members Absent: None

Others Present: Administrator Mitch Berg, Police Chief Laura Eastman, Engineer Barry Peters, Assistant Administrator/Planner Sara Taylor, Attorney Nick Vivian, City of Stillwater Engineer Shawn Sanders

APPROVAL OF AGENDA

Administrator Berg requested the addition of City Council items and announcements to the agenda.

It was moved by Councilmember Ostertag and seconded by Councilmember Goldston to approve the October 3, 2011 agenda, with the addition noted above. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. The September recycling award recipient is Kenneth Ellis who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.

OPEN FORUM

Washington County Attorney Pete Orput introduced himself and briefed the City Council on his office's activity, including increased communication, crime prevention and training with local law enforcement agencies and municipal prosecution offices. He stated he has a positive working relationship with the Bayport Police Department.

CONSENT AGENDA

Mayor St. Ores read items 1-8 on the consent agenda.

1. September 6, 2011 City Council regular meeting minutes
2. September payables and receipts (check numbers 1133652-1133744)
3. September building, plumbing and mechanical permit report
4. Consider a special event application for a cyclocross bike event Barker's Alps Park on Saturday, November 12 and Sunday, November 13, 2011
5. Final payments for 1st Avenue and 2nd Avenue North Stormwater Improvement Project
6. Accept \$200.00 donation for Fire Department from Harold Radke
7. Accept donation of toys for Police Department use from Chris and Heather Peterson
8. Accept \$50.00 donation for Fire Department from Jean Dahlin in memory of Richard Dahlin

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-34

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-8 FROM THE
OCTOBER 3, 2011 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	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye
Dan Goldston – aye	

PUBLIC HEARINGS

Assessment hearing on the 2011 Sidewalk Improvement Project located on 6th Street North: City of Stillwater Engineer Shawn Sanders reviewed the project. He indicated the total project cost was \$41,546.50, with 50% of the costs assessed to the nine abutting property owners. The assessed cost per square foot was \$4.09, with a total assessment to property owners of \$17,375.85, and the city's portion of \$20,773.25. The proposed assessment rate is 4.25% payable over a 10-year period. Administrator Berg stated the city had received no objections to the assessment notifications and that staff has worked with a resident regarding project-related noise concerns.

Mayor St. Ores opened the public hearing and no comments were heard.

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

Administrator Berg indicated detailed payment options for the assessments would be mailed to affected property owners. Attorney Vivian also noted that in order for an assessed property owner to contest the assessment in court, a written objection would need to be filed with the city clerk prior to the close of the assessment public hearing. Administrator Berg noted requests to defer assessments need to be submitted within 30 days of this evening's adoption of the final assessment roll.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-35

**RESOLUTION ADOPTING ASSESSMENT FOR
6th STREET NORTH SIDEWALK IMPROVEMENT PROJECT**

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

RIVERFRONT ADVISORY COMMISSION REPORT - None

COUNCIL LIAISON REPORTS

Councilmember Hanson reported the Planning Commission did not meet in September.

Councilmember Goldston reviewed the September 14, 2011 meeting of the Andersen Community Advisory Commission (CAC). The CAC is seeking representation on the commission by a Bayport

resident and a Bayport business owner. Interested individuals should contact Councilmember Goldston for application information. The CAC will meet again in May of 2012.

Mayor St. Ores reported the Middle St. Croix Watershed Management Organization (MSCWMO) did not meet in September, and the next meeting is scheduled for Thursday, October 13, 2011, 7:00 p.m., at the Valley Ridge Mall. She reported that she attended the Lower St. Croix Valley Alliance meeting last week.

Councilmember Carlson reviewed the September 22, 2011 Library Board meeting. Discussion centered on the hiring of a new library director, with the two finalists to be interviewed for a second time on October 5, 2011. The Library Foundation fundraiser, Girls Night Out, is scheduled for Sunday, November 6, 2011, from 6:00-9:00 p.m. The next meeting of the Library Board is scheduled for Thursday, October 27, 2011, 6:00 p.m., at the library.

Councilmember Ostertag reported the next meeting of the Cable Commission is scheduled for Wednesday, October 19, 2011, 7:00 p.m., at the Valley Ridge Mall.

UNFINISHED BUSINESS

Consider an amendment to the city's special assessment policy: Administrator Berg stated the policy has been revised per discussion at the last meeting, specifically to include a termination clause for deferments on unimproved lots or parcels. Attorney Vivian indicated the best way to administratively track assessment deferments is to attach the assessment deferment to the property rather than the property owner.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-36

RESOLUTION AMENDING THE CITY'S SPECIAL ASSESSMENT POLICY

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

Susan St. Ores – aye	Michele Hanson – aye
Connie Carlson – aye	Mark Ostertag – aye
Dan Goldston – aye	

NEW BUSINESS

Consider adopting a city electronic fund transfer policy: Administrator Berg explained that after the 2010 audit, the city's auditors recommended the city adopt an electronic fund transfer policy.

It was moved by Councilmember Ostertag and seconded by Councilmember Carlson to adopt the Electronic Funds Transfer (EFT) policy as presented. Motion carried 5-0.

Consider an amendment to the city's fleet vehicle safety policy: Administrator Berg explained a review of the city's fleet vehicle safety policy indicated the need for a slight amendment to be consistent with other city department policies. The proposed amendment to Section III: Program Requirements, allows more flexibility for employees to perform their required work duties and was developed with the assistance of the city's contracted safety coordinator staff.

It was moved by Councilmember Goldston and seconded by Councilmember Hanson to adopt the amendment to the city's fleet vehicle safety policy as presented. Motion carried 5-0.

COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Ostertag thanked Harold Radke, Chris and Heather Peterson, and Jean Dahlin for their generous donations to the City of Bayport, as noted on the consent agenda.
2. Councilmember Ostertag noted the Fire Department would be holding its annual Halloween Open House on Monday, October 31, 2011, and invited everyone to stop by the Fire Hall that evening.
3. Councilmembers Hanson recognized and thanked members of the Bayport Community Action League for sponsoring another successful Derby Days event on September 17, 2011. Special mention was made of the fireworks display.

CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS

City Administrator Berg summarized his written report. He noted the Public Works Department would be flushing fire hydrants during the month of October. He also reported that because of continued vandalism at the beach house, the building interior is now locked until next spring.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 6:36 p.m. Motion carried 5-0.

City Administrator/Clerk