

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 6, 2014
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of October 6, 2014 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 Dan Goldston, Michele Hanson and Patrick McGann

Members Absent: Councilmember Connie Carlson

Staff Present: City Administrator Logan Martin, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, City Engineer John Parotti, City Attorney Andy Pratt, and Assistant City Administrator/Planner Sara Taylor

APPROVAL OF AGENDA

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the October 6, 2014 City Council agenda. Motion carried 4-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The October recycling award recipient is Karen Lampi who will receive \$30.00 for her recycling efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores announced that the Public Works Department will be flushing fire hydrants beginning October 7 for approximately 2 weeks. If residents notice discolored water, they should let the water run until it clears up.

OPEN FORUM

CONSENT AGENDA

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

Councilmember Goldston introduced the following resolution and moved its adoption:

Resolution 14-19

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-9 FROM THE
OCTOBER 6, 2014 CITY COUNCIL AGENDA**

1. September 8, 2014 City Council special closed meeting minutes
2. September 8, 2014 City Council regular meeting minutes
3. September payables and receipts (check numbers 1137558-1137674)
4. September building, plumbing and mechanical permits report
5. Pay application #1 from Siegfried Construction for Phase II Perro Park site improvements
6. Hiring of Paul Eaton as a paid on-call, volunteer firefighter for the Bayport Fire Department
7. Acceptance of a surplus parcel of real property from the Minnesota Department of Administration and certification of the legal description and parcel boundary (*Resolution 14-19A*)

8. Special event application from Andersen Corporation for Quarter Century Club picnic at Lakeside Park on August 7 and 8, 2015
9. Special event application from Andersen Elementary Parent Group for school walkathon at Barker's Alps Park on October 24, 2014

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
Dan Goldston – aye	Patrick McGann – aye

PUBLIC HEARINGS

COUNCIL LIAISON REPORTS

Councilmember Hanson reviewed the September 17, 2014 Andersen Corporation Community Advisory Commission meeting. A Bayport resident is needed to serve on the commission and interested residents should contact City Hall for more information. The commission meets twice a year and the next meeting will be scheduled in May 2015.

Councilmember Hanson reviewed the September 18, 2014 Cable Commission meeting, noting that negotiations continue with Comcast to renew a franchise agreement. The next meeting will be held November 20, 2014, 7:00 p.m., at the Valley Ridge Mall.

Mayor St. Ores said the Middle St. Croix Management Organization would be meeting in November. She recognized the efforts of Bayport Community Action League members, city staff, and volunteers who helped with another successful Derby Days event on September 20. She thanked Bethlehem Lutheran Church members for a recent service project that enhanced the landscaping at the Village Green and Lakeside Park.

STAFF/CITY ADMINISTRATOR REPORTS

Administrator Martin reviewed the Fire Department's monthly report. October is Fire Safety Month and the department will be hosting its annual Public Safety Open House at the fire hall on October 31 from 5:00-8:00 p.m.

Police Chief Eastman reviewed her report and noted the Police Department will be participating in the Public Safety Open House on Halloween Eve. Reserve Officers will also be handing out glow necklaces as they provide extra walking patrols to ensure the safety of trick-or-treaters.

Public Works Supervisor Horak reviewed his written report and recognized the efforts of the service group from Bethlehem Lutheran Church. He noted that relocation of the Perro Park playground equipment is a priority as the park improvement project wraps up. Mayor St. Ores questioned whether Perro Park grass seeding efforts would be affected by the pleasure skating rink. Supervisor Horak said staff is in the process of determining the best time to seed the area and may wait until spring.

Administrator Martin provided a library update, noting over \$730.00 was raised during the Derby Days book sale. Residents should check the library's website for information on several special programs planned for October.

Assistant City Administrator/Planner Taylor reminded residents that entries for the *Focus on Bayport* photo contest will be accepted until October 15, and the General Election will be held at City Hall on

Tuesday, November 4, with polls open from 7:00 a.m.-8:00 p.m. She also mentioned that she would be presenting the details of a concept plan for a multi-family residential building for Phase II of the Inspiration Development later on the agenda.

Administrator Martin said the deer culling event in the Point Road area will be starting as soon as the city finalizes an agreement with Xcel Energy to allow hunting on their land. He noted the design process for the proposed new fire hall is going well and remains on schedule to introduce design options and preliminary budget figures for City Council consideration within the next few months.

UNFINISHED BUSINESS

There was no unfinished business to consider.

NEW BUSINESS

Consider Addendum No. 4 to the Baytown Water Extension Joint Powers Agreement to allow access to municipal water service for Miller Excavating, 3741 Stagecoach Trail in Baytown: Administrator Martin reviewed the 2005 Joint Powers Agreement (JPA) with Baytown Township and subsequent amendments to allow Bayport's municipal water service to be extended to specific Baytown developments and St. Croix Preparatory Academy. Miller Excavating is in the process of relocating its corporate headquarters to the east side of Stagecoach Trail and is requesting access to Bayport's water service, which requires another addendum to the original JPA. City Engineer Parotti has reviewed the proposed use and indicated the system has the capacity to support the project. City Attorney Pratt worked with Baytown's attorney to draft Addendum No. 4 to the JPA and staff recommended approval of the addendum. The property is currently served by a private well for water service.

It was moved by Councilmember Goldston and seconded by Councilmember McGann to approve Addendum No. 4 to the Baytown Water Extension Joint Powers Agreement to allow access to municipal water service for Miller Excavating, 3741 Stagecoach Trail in Baytown. Motion carried 4-0.

Consider a petition for a special assessment project at 243 3rd Street North for a water service expansion and private fire suppression system: Administrator Martin reviewed staff's discussions with Lynn Most, owner of 243 3rd Street North to bring the property into code compliance and meet fire suppression requirements, for potential use as a grocery store/meat market. A fire suppression system is required in the building to support the proposed use, and staff subsequently determined the existing water service is not large enough to support this system. Lynn and Jan Most have petitioned the city to complete construction of the fire suppression system and construction of a 4" water line and interior fire sprinklers, via a special assessment project as allowed by Minnesota Statutes, Chapter 429. The total special assessment cost is \$60,000.00, which would be placed on the property's annual taxes over 10 years at an interest rate of 4.5%. Staff recommended approval of the special assessment project, noting that all legal, engineering and permit fees would be paid by the property owner. The work would be completed this year, if possible. Mayor St. Ores thanked the property owners and city staff for working through the issues to bring this project to the City Council for consideration.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 14-20

**RESOLUTION DECLARING ADEQUACY OF PETITION REQUESTING THE
CONSTRUCTION OF A PRIVATELY OWNED FIRE PROTECTION SYSTEM TO SERVE
243 THIRD STREET NORTH WITHIN THE CITY OF BAYPORT, MINNESOTA,
AND ORDERING SAID IMPROVEMENT**

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

Susan St. Ores – aye
Dan Goldston – aye

Michele Hanson – aye
Patrick McGann – aye

Consider a concept plan for a multi-family residential building for Phase II of the Inspiration

Development: Mayor St. Ores said the purpose of this agenda item is to gather information and address questions; no decisions would be made at the meeting. Public comment will be limited to 10 minutes after staff and the prospective developer present the topic.

Planner Taylor noted that in 2004, the city approved a preliminary plat for Inspiration, which is a master plan of how a property will be subdivided and developed. Inspiration is guided for Mixed Density Residential and zoned Residential Planned Unit Development (which allows for a diversity of residential housing units, including multi-family, nursing and retirement homes in the underlying R-2 zoning district). Prior to the city approving the preliminary plat for Inspiration, the developer was required to complete a thorough environmental assessment and resource inventory of the property, to identify and protect critical natural areas and minimize development impacts. This information was then used to create the overall layout of the development, including streets and infrastructure, areas suitable for housing, and conservation areas.

Planner Taylor stated the preliminary plat and overall layout of the development approved by the city includes 121 single-family lots in Phase I, 75 multi-family/condominium units in Phase II, and 132 single-family lots in Phase III. The platted housing units are surrounded by 145 acres of native prairie open space, which are included in a permanent conservation easement. This concept plan is specifically for Phase II of the development. In 2006, the city granted site plan and final plat approval for 62 multi-family, market rate cooperative units, for individuals age 55 or older, known as “Gramercy Club” for Phase II. However, due to a decline in the housing market, the building was never constructed.

Applicant Jeff Hause and his investment group are currently engaged in a due diligence process to determine whether to proceed with a formal application to the city to develop Phase II. They have requested that the City Council review and provide input on the concept. Based on this input, the applicant will then decide whether to proceed with a final plat application to the city for Phase II.

Planner Taylor mentioned that in regard to the overall site plan, parking layout, traffic circulation, building elevation, size, and architectural style, the applicant’s concept is virtually identical to “Gramercy Club.” The building would contain a total of 75 multi-family units, which complies with the preliminary plat, and would consist of 25 independent units, 30 assisted living units and 20 memory care units, for lease by individuals age 55 and over. By offering a diversity of housing units within the Inspiration development, residents would be provided with the opportunity to remain in the neighborhood through multiple stages of life. Similar to “Gramercy Club,” the building would also contain common spaces and amenities for the residents, as well as personnel to oversee building operations and maintenance.

Planner Taylor stated that based on the concept information provided, staff finds the proposal to be generally consistent with the preliminary plat and the final plat for “Gramercy Club” and therefore is supportive of the concept. The city’s governing documents for Inspiration slate Phase II for up to 75 multi-family or condominium units. However, these documents do not define the types of multi-family units allowed or design standards for this phase of the development, other than to capture and complement the architecture of the single-family homes and be consistent with the overall conservation

theme of the development. As proposed, this concept plan complies with these criteria. The concept is also consistent with the city's comprehensive plan, which encourages "the development of diverse and affordable housing for persons of all ages" and promotes "mixed housing and clustering by planned unit development."

It was noted that the City Council and residents of Inspiration should keep in mind that this proposal is only conceptual, and therefore limited information has been provided by the applicant in order to be receptive to the city's input regarding the concept. Should the applicant decide to proceed with a formal application for final plat, detailed engineering and architectural plans will be required, as well as information deemed necessary for the city to address potential impacts that may affect the overall neighborhood, such as safety, security, traffic, and demand on emergency services.

Jeff Hause, J.G. Hause Construction, and Bill Henderson were present to answer questions on the proposed concept. The group, including Dave Hesley, has built senior living communities in Oak Park Heights, Faribault and Braham, Minnesota, with an occupancy rate of 93-100%. Mr. Henderson noted the housing market has not fulfilled the growing need for independent senior living apartments and demographics support increased housing for individuals 55 and over. He estimates 10-20 employees would be on staff during the day and a shuttle bus would most likely be available for transportation to nearby stores. He said the senior living model would generate less traffic than a single family/condominium development. In light of previous resident concerns, Councilmember Hanson questioned the city's involvement with the architectural style. Mr. Henderson explained the group will work within the city's guidelines to construct a building that will complement the development's architecture. He believes the Phase II multi-family building could be part of the homeowner's association in some capacity and help maintain the development's trail system. Planner Taylor stated the color map handout detailing the three phases of the development, showing the multi-family building, was created by Contractor Property Developers Company (CPDC) and was included with the original developer's marketing materials. It is unclear whether this map was provided to prospective homebuyers by subsequent developers of Inspiration. However, the information has been on file for public view at City Hall. Mr. Hause estimates construction would take 12 months to complete and that the entire project would result in approximately 15% impervious coverage of the Phase II parcel. It was noted that Croixdale, another senior housing community in Bayport, generates 30-40 emergency service calls per year, and includes 109 residential units.

Paul Schaefer, 544 Prairie Way South, believes the area is not conducive to a senior housing community and was told by a previous developer that this wooded area would never be developed when he purchased his lot. He believes the concept use should be classified as commercial zoning because it is a for-profit entity. He is concerned with the increased car and truck traffic on Inspiration Parkway associated with supporting this type of senior living and believes the property should have its own access from Stagecoach Trail. He noted there are no sidewalks along Inspiration Parkway and children walk to St. Croix Preparatory Academy along this street. He had concerns that the senior residents could be harmed if they wandered off into the wooded areas or nearby train tracks. He believes a three-story building would be out of context with surrounding buildings and not be in line with the city's comprehensive plan and design for the neighborhood. He indicated that stormwater drains into this area from the entire development. If the building and grounds were built up to compensate for the lower elevation, he is concerned the stormwater would then be directed toward his home and possibly cause basement flooding.

Tony Lesicka, 301 Prairie Way South, concurred that this would be an unfavorable location for a senior housing facility. He questioned whether the Maxfield Research study, which indicated a demand for senior housing (as cited by the applicant), was specific to the Inspiration development or the general

area. He said consideration of this concept should include a re-use plan in the event the senior housing fails.

Shonette Doggett, 352 Prairie Way South, expressed safety concerns with traffic control and lighting, with the increased numbers of cars and commercial vehicles in the neighborhood. She stressed pedestrian safety along the single-lane Inspiration Parkway.

Mel Horak, City of Bayport Public Works Supervisor, informed the Inspiration residents that his department would be trimming trees in the area of Phase II this week. Tree trimming is related to maintenance of the sewer lift station in the area and not the concept plan under discussion. He said the lift station would most likely need to be adjusted if the multi-family phase is completed.

Stephen Hipp, 1033 Pioneer Trail, expressed concern that development of the area would negatively affect the wildlife habitat.

Tim Stevenson, 455 Prairie Way South, said he chose to build in Inspiration because it is a single family neighborhood and was not told there was a possibility of a multi-unit component. He believes a multi-family, high density facility will ruin the neighborhood and negatively affect the value of the current homes. He also expressed concern about pedestrian safety along Inspiration Parkway.

Bob Grandas, 431 Prairie Way South, recognized the city's efforts to maintain the original commitment and uniqueness of the neighborhood as developed in 2004. He believes certain Inspiration residents were not fairly notified by their developer of the multi-family phase before they bought in the neighborhood and that changing times and current economic conditions should be considered. He would like the city to uphold the unique vision for the neighborhood and feels the concept design lacks originality and distinct architecture.

Dustin Vincent, 526 Prairie Way South, questioned whether this type of senior community exists in other Twin Cities residential areas and what impact it may have on the neighborhood.

Mary-Clare Holst, 986 Inspiration Parkway North, believes the light pollution from the concept plan model would have a negative impact on the quality of life for residents near the building.

Mayor St. Ores thanked the residents for their input and said there are pros and cons for the concept plan that will be weighed if the developers submit a formal application to proceed with the project. Developer Jeff Hause recognized the participation from Inspiration residents and said he wants his projects to have the support of community members. Mr. Hause noted that another developer could force some type of multi-family component in the Phase II area, because it is guided and zoned for such use. Mayor St. Ores invited residents to forward additional questions and comments to councilmembers and staff.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:21 p.m. Motion carried 4-0.

City Administrator/Clerk