

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
NOVEMBER 7, 2011
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of November 7, 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, Public Works Supervisor Mel Horak, Engineer Barry Peters, Assistant Administrator/Planner Sara Taylor, Attorney Nick Vivian

APPROVAL OF AGENDA

Administrator Berg requested the consent agenda addition of "Special event application for a Cub Scout wreath sale at Village Green Park on November 19, 2011," and the addition of "Consider a waterproofing improvement project for City Hall" to new business.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to approve the November 7, 2011 agenda, with the additions noted above. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. The October recycling award recipient is Karl Braun who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
2. Mayor St. Ores reminded residents there will be a general election on Tuesday, November 8, 2011, to vote on matters related to funding for Stillwater School District #834. The polls will be open at City Hall for voting from 7:00 a.m. to 8:00 p.m.

OPEN FORUM - None

CONSENT AGENDA

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

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-37

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-16 FROM THE
NOVEMBER 7, 2011 CITY COUNCIL AGENDA**

1. October 3, 2011 City Council regular meeting minutes
2. October payables and receipts (check numbers 1133745-1133858)
3. October building, plumbing and mechanical permit report
4. Special event application from the Bayport Community Action League for "Lighting of the Village Green" on Wednesday, December 7, 2011
5. Central St. Croix Valley Joint Cable Commission and Valley Access Channels budget for 2012

6. Donation of laptop computers for Police Department from Department of Public Safety
7. Donation of laptop computers for Fire Department from Department of Public Safety
8. Increase in retirement benefits for Fireman's Relief Association
9. Amendment to Building Inspection Services Agreement with City of Lakeland
10. Snow removal agreement with Mn/DOT for trunk highways within Bayport
11. Purchase of turn out gear for the Fire Department
12. Final payments for the 6th Street North Sidewalk Improvement Project
13. Authorization to hire two personnel for the Fire Department
14. Renewal of employee insurance policies
15. Donation of toys for Police Department from Andy Murphy
16. Special event application for a Cub Scout wreath sale at Village Green Park on November 19, 2011

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

PUBLIC HEARINGS - None

RIVERFRONT ADVISORY COMMISSION REPORT

Administrator Berg reported this would be the final report on the findings/action identified by the commission. In addition to the update provided in the meeting materials, he noted staff is pursuing a trail plan grant and is in preliminary discussions with neighboring communities to explore regional trail connectivity. Staff will bring specific items to the City Council for consideration at future meetings. Residents were encouraged to contact City Hall if they are interested in helping develop community events.

COUNCIL LIAISON REPORTS

Councilmember Ostertag reported the Cable Commission met on October 12, 2011 to review and approve the 2012 budget, as approved on tonight's consent agenda. He reviewed the October 19, 2011 regular Cable Commission meeting. Breakfast with Santa is scheduled for Saturday, December 10, 2011, from 9:00 a.m. to noon at the Valley Ridge Mall. The next meeting is scheduled for Wednesday, December 21, 2011, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Carlson noted the Library Foundation's fundraiser held November 6th was very successful. She also reviewed the October 27, 2011 Library Board meeting. There will be an opening on the board effective January 1, 2012, as Joe Reding's term expires at the end of the year. Mark Blando has been hired as the new library director and will work with the current director, Kathy MacDonald, for six weeks prior to her retirement. Residents are encouraged to stop by the library to meet the new director on Wednesday, December 7, 2011, as the library participates in the Lighting of the Village Green activities with story hour from 6:00-6:30 p.m. The next meeting of the Library Board is scheduled for Thursday, November 17, 2011, 6:00 p.m., at the library.

Mayor St. Ores reviewed the October 13, 2011 Middle St. Croix Watershed Management Organization (MSCWMO) meeting and stated she attended a Community Symposium meeting on October 26, 2011, where Administrator Berg presented on Bayport's amenities and services. She also reviewed the October 24, 2011 Middle St. Croix Valley Alliance meeting where changes to the homestead credit policy were discussed. She noted the next MSCWMO meeting is scheduled for Thursday, November 10, 2011, 7:00 p.m., at the Valley Ridge Mall.

Councilmembers Goldston and Hanson had no report.

UNFINISHED BUSINESS

Consider adopting the final assessments for the 1st and 2nd Avenue North Curb, Gutter, Sidewalk, and Stormwater Improvement Project: Administrator Berg reviewed the assessment process for the project and recommended approval of the resolution presented by staff.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 11-38

**RESOLUTION ADOPTING ASSESSMENT FOR
1st AND 2nd AVENUE NORTH CURB, GUTTER, SIDEWALK,
AND STORMWATER IMPROVEMENT PROJECT**

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 sanitary sewer maintenance policy: Administrator Berg stated the proposed policy was developed upon the recommendation of the city’s property and liability carrier, to avoid an increase in the minimum mandatory deductible for sewer backups. The policy addresses the first two criteria listed in the staff report, and Administrator Berg stated he is working on ensuring the city has more than one MPCA-certified sewer operator. The proposed maintenance schedule was reviewed. Administrator Berg indicated the policy was developed with the assistance of the city’s engineer and public works supervisor and recommended approval.

It was moved by Councilmember Ostertag and seconded by Councilmember Hanson to adopt the City of Bayport Sanitary Sewer Maintenance Policy. Motion carried 5-0.

Consider an amendment to the city’s fixed asset policy: Administrator Berg summarized revisions to the city’s fixed asset policy, as recommended by the city’s auditor, to be consistent with current practices and to update and simplify the city’s accounting and auditing functions.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adopt the amended City of Bayport Fixed Assets Policy. Motion carried 5-0.

Consider a waterproofing improvement project for City Hall: Administrator Berg reviewed recent City Hall water infiltration issues and mitigation efforts, including last year’s roofing project. Water seepage continues from ground level and city staff requested the building’s general contractor, George Siegfried Construction Company, to assess the situation and provide a cost and scope of work to waterproof the building and correct the infiltration problem. The contractor provided a quote of \$12,885.00 for basic labor and materials. The city’s building official and public works supervisor recommend approval of the cost and scope of work, and, if approved, staff would work with the contractor to bring the project in below a do-not-exceed cost of \$13,000.00. Staff is recommending contracting with George Siegfried Construction due to their familiarity with the building; however Administrator Berg indicated the City Council could request additional quotes. Discussion followed on how the excluded scope of work items may affect the cost and the desire to have the work completed before the building experiences additional

damage. Administrator Berg stated staff would negotiate the scope of work with the contractor, upon City Council approval of a not-to-exceed amount for the project.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to accept the proposal from George Siegfried Construction Company for a waterproofing improvement project at City Hall, for a cost not to exceed \$13,000.00. Motion carried 5-0.

COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Hanson recognized Police Chief Eastman for her initiative in securing laptops for the city. She also attended a recent Bayport Community Action League (BCAL) meeting and thanked the members for their efforts in providing a multitude of community events.
2. Mayor St. Ores thanked the members of the Fire and Police Departments for the Halloween open house event and recognized the support of the community for the library's Girls Night Out fundraiser. She welcomed residents to participate in Lighting of the Green on December 7, 2011.
3. Councilmember Carlson noted the Bayport American Legion would be hosting a dinner at 6:00 p.m. for veterans on Veteran's Day, November 11, 2011. Reservations are requested.
4. Councilmember Ostertag reminded the community that Santa would be arriving in Bayport on Friday morning, November 25, 2011, aboard a Bayport Fire Department truck.

CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS

Administrator Berg stated two property owners have prepaid their assessment for the 6th Street North Improvement Project and that no deferment requests were submitted prior to the November 2nd deadline. He reviewed the components of the Bayport Police Department's Citizen's Academy on January 7 and 8, 2012, and encouraged interested residents to contact City Hall by December 20, 2011, as the group will be limited to 20 people. He noted FEMA will be conducting a nationwide Emergency Alert Test on Wednesday, November 9, 2011, at 2:00 p.m. It was noted that Bayport's tax rate of 35.65% is below that of the average Minnesota city, as well as the rate levied by many neighboring communities. He reiterated the need for a representative on the Library Board effective January 1, 2012.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adjourn in to closed session to conduct an annual performance evaluation of the City Administrator, in accordance with State Statute 13D.05. Motion carried 5-0.

Mayor St. Ores reconvened the regular meeting of the Bayport City Council at 7:35 p.m.

City attorney Vivian summarized the discussion of the City Administrator's performance evaluation during the closed session. He indicated the comments were generally positive and the City Council is supportive of Administrator Berg's work. No further action was taken and the City Council adjourned back in to open session.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:37 p.m. Motion carried 5-0.

City Administrator/Clerk