

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 7, 2019
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, 2019, to order at 6:00 p.m., 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 COUNCIL MEMBERS JOHN DAHL AND MICHELE HANSON

Mayor St. Ores administered the Oath of Office to Councilmembers Dahl and Hanson.

ROLL CALL

Members Present: Mayor Susan St. Ores, Councilmembers John Buckley, Connie Carlson, John Dahl, and Michele Hanson

Members Absent: None

Staff Present: City Administrator Adam Bell, Police Chief Laura Eastman, Public Works Director Matt Kline, City Engineer John Parotti, City Attorney Andy Pratt, and Assistant City Administrator/Planner Sara Taylor

APPROVAL OF AGENDA

It was moved by Councilmember Dahl and seconded by Councilmember Carlson to approve the January 7, 2019 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The December recycling award recipient is Keith Friedrich who will be awarded for his recycling efforts, with funding made possible by a grant from Washington County.
2. Residents were reminded that annual pet license registrations for 2019 are due February 1. All pets over 4 months of age must be licensed with the city. A late fee will apply after February 1.
3. Mayor St. Ores recognized residents Dan Asmus and Emma Odland for their winning entries in the *Focus on Bayport* Photo Contest. Winners were presented with a certificate and a gift card.

OPEN FORUM

Shonette Doggett, 352 Prairie Way South, requested feedback from the City Council on a letter she sent to Councilmembers regarding the development of Outlot N in Inspiration. Mayor St. Ores asked Administrator Bell to provide a status update on the project. Per Administrator Bell, Landucci Homes, the developer, has filed the final plat with Washington County and staff is finalizing project details with the developer. Administrator Bell will follow up with Mrs. Doggett regarding her questions and comments presented in the letter.

CONSENT AGENDA

Mayor St. Ores read items 1-10 on the consent agenda.

1. December 3, 2018 City Council regular meeting minutes
2. December payables and receipts (check numbers 010482-010616)
3. December building, plumbing and mechanical permits report

4. Commercial refuse hauling licenses for 2019
5. Retirement of Office Support Specialist Karen Huftel
6. Special event application from Jennifer Penwell for wedding at Lakeside Park on July 13, 2019
7. Pay application #2 from Braden Construction for pumphouse #2 rehabilitation project
8. Amendment to Fire Department Relief Association Bylaws
9. Abatement of special assessments for 463 3rd Street South and 467 5th Street South (*Resolution 19-01A*)
10. Establishing Bayport City Hall, 294 3rd Street North, as the designated polling place for the 2019 election(s)

Administrator Bell noted there are no elections slated for 2019; however, recent legislative changes require municipalities to formally designate a polling place. Councilmember Dahl inquired about the lack of electrical permits on the building department report, and it was noted all electrical permits are issued through the state.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 19-01

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-10 FROM THE
JANUARY 7, 2019 CITY COUNCIL AGENDA**

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

Susan St. Ores – aye
John Buckley – aye

Connie Carlson – aye
John Dahl – aye

Michele Hanson – aye

PUBLIC HEARINGS

UNFINISHED BUSINESS

NEW BUSINESS

Consider accepting highest sealed bid and sale of 2014 Fire Department Chevrolet Tahoe CV2:

Administrator Bell reviewed a handout outlining the bidding process for the sale of the former command vehicle. Two bids were received by the January 3 deadline, with Jennifer Keehn offering the high bid of \$15,000, and staff recommended accepting the bid. Councilmember Dahl asked about the replacement schedule for city vehicles. Administrator Bell reported the city has recently instituted a replacement schedule for all city fire and public works vehicles, in addition to the replacement program for police vehicles that has been in place for some time.

It was moved by Councilmember Hanson and seconded by Councilmember Dahl (Sara has Buckley in notes) to accept the highest sealed bid of \$15,000 from Jennifer Keehn for the 2014 Fire Department Chevrolet Tahoe CV2 and approving the sale thereof. Motion carried 5-0.

Consider hiring a candidate for the Public Works Maintenance Worker position:

Public Works Director Kline reported the city received 21 applications for the position, with five candidates participating in the interview process. Staff recommended the hire of Ross Lindgren, effective January 8. Ross has past municipal public works experience, water and sewer licensure, and has successfully completed all pre-employment requirements.

It was moved by Councilmember Dahl and seconded by Councilmember Buckley to approve the hiring of Ross Lindgren as Public Works Maintenance Worker at the starting salary of \$47,403. Motion carried 5-0.

Consider receiving a feasibility report and setting a public improvement hearing date for the 2019 Sidewalk Improvement Project: Public Works Director Kline said a feasibility report has been completed for the 2019 Sidewalk Improvement Project, in compliance with Minnesota Statute 429 for projects where assessments are used to recover costs from benefitted properties. The 429 process also requires a public improvement hearing (proposed for February 4). Residents affected by the project were notified in December of the preliminary assessments and will receive a notice of the public improvement hearing and subsequent assessment hearing. Director Kline said he has talked with a number of affected property owners and they have been supportive of the proposed improvements. Since the improvement project has no impact on the city's Comprehensive Plan, there is no need for Planning Commission review.

Councilmember Buckley inquired about repair liability for potential damage to adjoining sidewalk sections. Director Kline said the bidding documents will state the contractor is responsible for any damage incurred during the replacement/repair process. Councilmember Dahl asked how the city handles tree roots that cause sidewalk heaving. Director Kline said certain maple trees have been identified as problematic, two trees will be removed as part of the sidewalk improvement project. The city started a saw cutting program for sidewalks with minimal-to-moderate heaving; however, the proposed project will remove and replace sidewalk sections that are heavily damaged.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 19-02

RESOLUTION RECEIVING A FEASIBILITY REPORT FOR A SIDEWALK IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA

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

Susan St. Ores – aye Connie Carlson – aye Michele Hanson – aye
John Buckley – aye John Dahl – aye

Councilmember Dahl introduced the following resolution and moved its adoption:

Resolution 19-03

RESOLUTION SETTING A PUBLIC IMPROVEMENT HEARING DATE AND DISPENSING WITH THE NEED FOR PLANNING COMMISSION REVIEW FOR A SIDEWALK IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA

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

Susan St. Ores – aye Connie Carlson – aye Michele Hanson – aye
John Buckley – aye John Dahl – aye

Consider a request to solicit bids for a stormwater improvement project with the Middle St. Croix Watershed Management Organization (MSCWMO): Public Works Director Kline reviewed a joint project with the MSCWMO to install bio-infiltration basins for water quality treatment on 2nd Avenue North and 7th Street North that will reduce sediment and phosphorous from entering Perro Creek and the St. Croix River. Staff expects the project plans and specifications to be complete in late January and is requesting approval to solicit bids as soon as they are finalized. Bids would be presented to the City Council at a future meeting. Mayor St. Ores acknowledged the MSCWMO grant that will help fund this project. Director Kline added the project helps to meet the storm water runoff quality practices/standards required by the MSCWMO for the 2017 Street Improvement Project.

It was moved by Councilmember Carlson and seconded by Councilmember Dahl to adopt a motion authorizing SEH to solicit bids for a storm water improvement project with the Middle St. Croix Management Organization. Motion carried 5-0.

Consider authorization to purchase a replacement street sweeper for the Public Works Department: Public Works Director Kline reviewed the city's research on options to replace the department's 30-year old street sweeper, with previous City Council direction to investigate lower cost options. He noted street sweeping is critical in preventing sediment and pollutants from reaching the storm water system, which eventually enter the St. Croix River. As an MS4 designated community, the city will also be required to measure and report best management practices, including street sweeping, to capture sediment before it reaches the storm water system. Staff tested a 2011 Elgin street sweeper that would be completely refurbished by MacQueen Equipment for a total cost of \$130,000. He noted it is rare to find a newer used model for sale, as cities typically replace on a 10-20 year cycle. The cost of a comparable new Elgin sweeper is \$203,446, with a \$190,000 base price via the state contract that would have a one-year warranty. No formal warranty would be available on the refurbished model. Staff would prefer the purchase of a new sweeper, but based on the City Council's previous directions, is comfortable recommending this refurbished model that has 12,900 miles and 3,300 hours of use. Bayport's current sweeper has 10,800 miles and 4,500 hours of use and is used only for street sweeping. Staff also had a demonstration of a regenerative sweeper that vacuums streets; the cost for this newer type of sweeper is approximately \$260,000, which staff felt was cost prohibitive. The 2019 capital improvement plan includes \$200,000 for the street sweeper replacement. Funding for the purchase would come from the Public Works Equipment Replacement Fund that has a healthy balance. Replacing the street sweeper would not preclude the department from purchasing other needed equipment in the future. The MSCWMO could assist the city in securing grants for a sweeper; however staff felt the 1 ½ year lag time was too long given the age of the city's current sweeper. Discussion followed on the pros and cons of purchasing new versus used, given the limited hours of use per year. Councilmember Buckley said he is not comfortable with the number of hours on the used sweeper and recommended the purchase of a new sweeper as a better use of the city's tax dollars. Councilmember Hanson agreed that a new sweeper would be a better investment and questioned purchasing a used model that has more miles than the current one. Staff has also investigated the purchase of a dedicated leaf sweeper for \$50,000-\$60,000 that would be more efficient for collecting leaves than a street sweeper.

It was moved by Councilmember Buckley and seconded by Councilmember Hanson to approve the purchase of a 2019 Elgin Pelican street sweeper for the Public Works Department, at a cost not to exceed \$200,000. Motion carried 4-1, with Mayor St. Ores voting nay.

Consider authorization for SEH to design temporary traffic control related to city infrastructure work as part of MnDOT's 2020 Highway 95 Improvement Project: Public Works Director Kline said the City Council previously authorized SEH to perform engineering services for the city infrastructure work involved with the Minnesota Department of Transportation (MnDOT) 2020 Highway 95 Improvement Project, primarily street lights and water/sewer infrastructure on Highway 95. Staff was recently notified that MnDOT will not be handling traffic control design services for the city infrastructure work during the project, as was the city's understanding. City Engineer Parotti explained that MnDOT is expecting the city to complete its utility work prior to MnDOT rehabilitating the roadway, possibly weeks after the city work is completed. Staff is in discussion with MnDOT regarding the potential rework, cost, and inefficiency of this approach, and staff has presented a proposal to minimize rework. The city will be responsible for handling temporary traffic control during the utility infrastructure work, and staff recommended authorizing SEH to complete the design services for a cost not to exceed

\$9,480.00. Director Kline anticipates reducing the engineering meeting fees noted in the SEH proposal by attending some of the necessary MnDOT meetings in place of the city engineer.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to authorize SEH to design the temporary traffic control related to city infrastructure work as part of MnDOT's 2020 Highway 95 Improvement Project for a not-to-exceed amount of \$9,480. Motion carried 5-0.

Consider appointments, designations, and City Council liaison assignments for 2019: After discussion, the following roster was proposed:

Acting (Deputy) Mayor	Connie Carlson
City Attorney	Eckberg Law Firm
City Engineer	SEH (John Parotti)
City Auditor	Schlenner Wenner and Co.
Data Practices Authority	City Administrator (Adam Bell)
Deputy City Clerk	Assistant City Administrator (Sara Taylor)
Emergency Preparedness	Fire Chief (Allen Eisinger), Police Chief (Laura Eastman)
Deputy Fire Chiefs	Jason Severson, Mike Galowitz
Weed Inspector	Mayor (Susan St. Ores)
Assistant Weed Inspector	Public Works Director (Matt Kline)
Animal Control	Police Chief (Laura Eastman)
Assessor	Washington County
Official Depository	First State Bank and Trust
Official Newspaper	Stillwater Gazette
Animal Impound Agency	St. Croix Animal Shelter-Woodbury
On Site Septic Inspection	Washington County
Financial Advisor	Northland Securities, UBS, FTN, Springsted

Middle St. Croix Watershed Liaison Second Thursday of the month – 6 p.m.	John Dahl / Susan St. Ores, alternate
Planning Commission Liaison Third Monday of the month – 6 p.m.	John Buckley / John Dahl, alternate
Library Board Liaison Third Tuesday of the month – 6 p.m.	Connie Carlson / Michele Hanson, alternate
Cable Commission Liaison TBD by commission – 7 p.m.	Michele Hanson / Connie Carlson, alternate
Andersen Citizen Advisory Liaison Two Wednesdays per year – 6:30 p.m.	John Buckley / Michele Hanson, alternate

It was moved by Councilmember Hanson and seconded by Councilmember Buckley to accept the 2019 appointments, designations, and City Council liaison appointments as listed above. Motion carried 5-0.

Consider City Council regular meeting and dates for 2019: Following discussion on the proposed dates, the following meeting dates were recommended:

Monday, January 7	Monday, May 6	Monday, September 9*
Monday, February 4	Monday, June 3	Monday, October 7
Monday, March 4	Monday, July 8*	Monday, November 4
Monday, April 1	Monday, August 5	Monday, December 2

*Due to federal holiday

It was moved by Councilmember Buckley and seconded by Councilmember Dahl to accept the 2019 City Council meeting dates as listed above. Motion carried 5-0.

COUNCIL LIAISON REPORTS

STAFF/CITY ADMINISTRATOR REPORTS

In Fire Chief Eisinger's absence, Administrator Bell noted the number of calls for the year is down from 2018; however, it is still a significant number for a paid, on call department. He also said the numbers do not reflect the type of calls and it was a very busy year for the department. Community events were reviewed, including transporting Santa to the Lighting of the Green on December 5. Residents were reminded that it is the property owner's responsibility to keep sidewalks adjacent to their property clear of ice and snow to prevent accidental falls.

Police Chief Eastman reviewed the department's past and upcoming events, including a successful Toys for Tots drive in collaboration with the Department of Corrections staff. On December 5, staff held internal candidate interviews with four of the department's reserve officers. There are two part-time officer positions available. A conditional offer was made to one of the reserve officers, pending satisfactory completion of required testing. The second position has been advertised and staff plans on interviewing candidates at the end of January. Several new reserve officer candidates will participate in a weekend reserve academy in the near future. She reviewed the statute pertaining to pedestrian foot traffic when crossing a roadway in a marked crosswalk or an intersection with no marked crosswalk. Drivers must remain stopped until the pedestrian has passed the lane in which the vehicle is stopped. Councilmember Dahl inquired about the use of the orange pedestrian crossing flags. Chief Eastman noted while they are not part of the ordinance, they are helpful in alerting vehicles to foot traffic.

Public Works Director Kline said the department has been largely unsuccessful in maintaining the ice rinks, due to the warm weather. Depending on the weather, it can take up to two weeks to make ice suitable for skating. Staff is reviewing the cost effectiveness of attempts to create and maintain the rinks. The 4th quarter water meter readings were completed in one day, compared to four days, with the new radio read system. Work has begun on the Wellhead Protection Plan update due in 2020. Discussion followed on the challenges of establishing a skating rink on bare ground versus installing an asphalt or other durable base. Director Kline believes adding an asphalt base would most likely be cost prohibitive.

Assistant City Administrator/Planner Taylor thanked the participants of the *Focus on Bayport* photo contest and said she is finalizing the next edition of the city newsletter that will be printed mid-January. On December 26, the city's 2040 Comprehensive Plan Update was submitted to the Metropolitan Council, meeting the deadline of December 31. Assuming there are no major changes needed, staff anticipates having a final plan ready for adoption by the City Council by early summer. She has been working on the required Washington County Recycling Grant annual report, as well as an annual grant status report for the Land and Water Legacy project. She has been working on refining the city's building permit forms to be consistent with MNSPECT's new permitting software, City Force, and streamline the application process.

City Administrator Bell encouraged residents to check out the Bayport Library's calendar of events and reported new gutters have been installed on the building. The city's annual audit fieldwork is scheduled for the first week of March. He continues to finalize the Police Department supervisor and non-supervisor union negotiations, noting both groups are new unions. Staff anticipates the agreements will be finalized in time for consideration at the February City Council meeting. He reported there is continued progress on finalizing documentation for the Landucci Homes development in Phase II of Inspiration, with initial grading anticipated to begin this spring. The city's Twitter account has been reactivated in the effort to increase communication and transparency, as well as engage residents

(@CityofBayport). Additionally, the Fire and Police Departments have Facebook sites for up-to-date city information. He reported the Cable Commission will be upgrading equipment in the council chambers in the next few months, with the goal of streaming city meetings and having the meeting videos available online.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Buckley to adjourn the meeting at 7:57 p.m. Motion carried 5-0.

City Administrator/Clerk