

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
DECEMBER 2, 2013
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of December 2, 2013 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 Patrick McGann

Members Absent: None

Staff Present: City Administrator Logan Martin, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, City Engineer Barry Peters, City Attorney Andy Pratt, Fire Chief Mark Swenson, and Assistant City Administrator/Planner Sara Taylor

APPROVAL OF AGENDA

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to approve the December 2, 2013 City Council agenda. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The November recycling award recipients are Karen and Travis Hultgren who will receive \$30.00 for their recycling efforts, with funding made possible by a grant from Washington County.
2. Lighting of the Village Green festivities take place on Wednesday, December 4 from 6:30 p.m. to 8:00 p.m., at Village Green Park and the Bayport Public Library. The Bayport Community Action League (BCAL) sponsors the event.
3. Toys for Tots donations will be accepted through December 16, with drop boxes located at First State Bank and Trust, Bayport American Legion, Croixdale, Holiday Gas Station, and Bayport City Hall and Library.

OPEN FORUM

Jon Chiglo, MnDOT, provided an update on the St. Croix Crossing bridge project, noting the majority of work in Bayport has been completed. The remaining pile driving work on the Minnesota side will be completed during the winter/spring months when windows are closed, to mitigate the noise impact associated with this activity. Councilmember Hanson requested information on public safety concerns regarding the lack of a guardrail along the newly created Pickett Avenue pond. Mr. Chiglo stated the fog line has been moved, creating a 10-foot shoulder in the area and a distance of approximately 35 feet to the edge of the water. He indicated a vehicle would have to travel 55 feet before it was submerged, which is well within MnDOT standards and guidelines. The roadway will be posted at 40 miles per hour. He said safety is a top priority when designing roadways, and a guardrail may not be the safest method, based on a number of considerations. Councilmembers also expressed concern with the potential for thin ice due to bridge work in the river, and Mr. Chiglo indicated that MnDOT will be posting "thin ice" signs on the upstream side of the bridge, to alert people of this possible condition. He will check on whether the piers will have some type of safety lighting to alert snowmobilers.

CONSENT AGENDA

Mayor St. Ores read items 1-12 on the consent agenda. Councilmember Hanson thanked Councilmember McGann for his donation to the Police Department. Councilmember McGann said he hopes the donation will help cover taser training for department staff.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 13-25

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-12 FROM THE
DECEMBER 2, 2013 CITY COUNCIL AGENDA**

1. November 4, 2013 City Council workshop meeting minutes
2. November 4, 2013 City Council regular meeting minutes
3. November payables and receipts (check numbers 1136490-1136591)
4. November building, plumbing and mechanical permits report
5. Commercial refuse hauling license renewals for 2014
6. Non-union employee holidays for 2014
7. Liquor and tobacco license renewals for 2014
8. Renewal of employee health and dental insurance policies
9. Snow removal agreement with MnDOT for Trunk Highway 95
10. Donation of \$250.00 to the Police Department from McGann Family Dental, Lake Elmo, MN
11. Agreement for remote monitoring of outdoor warning siren equipment
12. Budgeted fund transfers for 2013

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

Susan St. Ores – aye	Dan Goldston – aye	Patrick McGann – aye
Connie Carlson – aye	Michele Hanson – aye	

PUBLIC HEARINGS

Certification of past due waste collection to 2013 property taxes: Administrator Martin reported the city’s contract with Allied Waste allows delinquent accounts to be certified to real estate taxes, under the Minnesota Statute 429 process. Customers and/or property owners were notified in October of past due garbage charges and of their right to appeal certification to their property taxes. Collection efforts will continue over the next month and any accounts on the list that have past due balances at year-end will be certified to Washington County.

Mayor St. Ores opened the public hearing and no comment was heard.

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

Administrator Martin stated Allied Waste handles collection efforts and works with city staff to notify customers of past due balances that meet the criteria for the 429 certification process.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to accept staff’s recommendation to levy past due waste collection charges to Washington County for assessment to the 2013 property taxes. Motion carried 5-0.

COUNCIL LIAISON REPORTS

Councilmember Carlson stated the next meeting of the Library Board is scheduled for Thursday, December 19, 2013 at 6:30 p.m. There will be a special story time at the library on December 4 at 5:45 p.m., in conjunction with the Lighting of the Green.

Councilmember Hanson reported Santa Claus will be at the Cable Commission offices at the Valley Ridge Mall on Saturday, December 14 from 9:00 a.m.-12:00 p.m. She reviewed the Central St. Croix Valley Joint Cable Communications Commission meeting of November 20, noting the 2014 budgets were approved.

Mayor St. Ores reviewed the November 14 meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). She stated water quality monitoring efforts are being reviewed to provide more efficient and effective results. The MSCWMO will be monitoring the water quality in the storm water ponds being created by the new bridge construction.

STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Swenson reported the department has prepared its equipment for winter and completed confined space entry training, which identified outdated equipment that needs to be replaced. Staff is working with the business stakeholders to fund the purchase of updated equipment. Xcel Energy has expressed interest in working with the city towards construction of a new fire hall, and the department has secured the donation of a new slide-in grass fire fighting mount from the Minnesota Department of Natural Resources.

Police Chief Eastman reviewed the department's monthly activity and highlighted the Toys for Tots program the department sponsors each year. Reserve Police Officers deliver the collected toys to KARE-11 in Golden Valley, which are then delivered to children throughout the state. She explained the vehicle forfeiture process and the need for the department to store forfeited vehicles for up to two years. She encouraged residents to fill out a watch property form if they will be away from home for an extended time. Department staff check on homes to make sure they are secure.

Mel Horak, Public Works Supervisor, reviewed his written report. He noted the repairs to well house #3 will be tested next week. In conjunction with the cemetery soil correction project, a water line in the upgraded area will be added next spring.

Assistant City Administrator/Planner Taylor said the hockey boards should be installed within the next week and the rink will be open by late December, weather permitting. The city needs temporary, part-time attendants to staff the warming house/ice rinks and is seeking applicants 18 years and older. There are openings on the Library Board and Planning Commission and residents interested in these volunteer positions can call City Hall and/or find information on the city's website.

PUBLIC INPUT [TRUTH IN TAXATION] ON 2014 CITY BUDGET AND LEVY

Administrator Martin noted the final 2014 budget includes a few minor modifications from the preliminary budget approved in September. These expenditure increases relate to increased health insurance premiums and needed improvements to the city's information technology (IT) services. He stated the city's financial standing remains strong going into 2014. A 2014 sales tax exemption for cities is expected to save the city approximately \$8,000.00. A general fund budget of \$2,755,443.00 is being proposed, which is a reduction of \$348,000.00 (11%) from the 2013 budget. The 2014 and long-range Capital Improvement Plans (CIP) were reviewed. He highlighted the need for a server upgrade and document backup system, at a cost of approximately \$10,000-11,000.00. Due to conservative

budgeting and increased revenue sources, the general fund levy remains flat for 2014, at \$1,159,981.00, which includes \$160,000.00 in the special library fund levy. With an increased tax base, the 2014 budget realizes a 2.24% decrease in the city's tax rate.

Mayor St. Ores opened the Truth in Taxation public input hearing and no comments were heard.

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

Discuss and consider a resolution adopting the 2014 tax levy:

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 13-26

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
CERTIFYING THE CITY OF BAYPORT'S LEVY TO WASHINGTON COUNTY FOR THE
YEAR 2014 BUDGET AT \$1,159,981.00**

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

Susan St. Ores – aye	Dan Goldston – aye	Patrick McGann – aye
Connie Carlson – aye	Michele Hanson – aye	

Discuss and consider a resolution adopting the 2014 budget:

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 13-27

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING THE CITY BUDGET FOR 2014**

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	Patrick McGann – aye
Connie Carlson – aye	Michele Hanson – aye	

Discuss and consider a resolution adopting the 2014 capital improvement plan (CIP):

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 13-28

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR 2014**

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

Susan St. Ores – aye	Dan Goldston – aye	Patrick McGann – aye
Connie Carlson – aye	Michele Hanson – aye	

UNFINISHED BUSINESS - None

NEW BUSINESS

Consider a resolution to proceed with securing a new site for the Bayport Fire Department:

Administrator Martin stated the city is exploring the purchase of surplus State of Minnesota land at the Department of Corrections (DOC) site in Bayport. He reviewed a resolution supporting the pursuit of a new site for the Fire Department that will demonstrate to potential funding partners that the city is

invested in pursuing a new fire station. Councilmember Goldston commented that the resolution should clearly state the City Council supports a broad, investigative pursuit of a potential new fire station. Administrator Martin confirmed the intent of the resolution, noting there are funding deadlines that need to be met in order to continue discussions. Discussion followed on defining potential costs, the process going forward, and using the word “investigating” instead of “securing” in the body of the resolution.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 13-29

A RESOLUTION DECLARING SUPPORT TO PROCEED WITH INVESTIGATING A NEW SITE FOR THE BAYPORT FIRE DEPARTMENT

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 Patrick McGann – aye
Connie Carlson – aye Michele Hanson – aye

Consider a resolution declaring intent to reimburse expenditures related to site development for a new Bayport Fire Department from proceeds of tax-exempt bonds: Administrator Martin explained the proposed resolution would allow the city to be reimbursed for any expenditures incurred during its due diligence process related to site development for a new fire station, as these costs could be rolled into a future bond sale. He stated the resolution does not bind the city to pursuing the sale of bonds or construction of a fire station. If the city moves the project forward, the City Council would award bids based on a competitive bid process and the expenditures would be tracked as a separate line item in the fund accounting system. Attorney Pratt explained the resolution’s standardized text that is commonly used by cities interested in pursuing tax-exempt bond sales and federal tax regulations that require the timely passage of the resolution to qualify for reimbursement. Discussion followed on tightening up the resolution to indicate “due diligence” expenditures. Mayor St. Ores reaffirmed that the city is not committing to building a new fire station at this time and all expenditures would require City Council approval.

Councilmember Goldston introduced the following resolution and moved its adoption:

Resolution 13-30

A RESOLUTION DECLARING THE OFFICIAL INTENT TO REIMBURSE DUE DILIGENCE EXPENDITURES RELATED TO SITE DEVELOPMENT FOR A NEW BAYPORT FIRE STATION FROM THE PROCEEDS OF TAX-EXEMPT BONDS TO BE ISSUED BY THE CITY OF BAYPORT

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

Susan St. Ores – aye Dan Goldston – aye Patrick McGann – aye
Connie Carlson – aye Michele Hanson – aye

Consider appointments, designations, and City Council liaison assignments for 2014: Assistant Administrator Taylor presented the current list and recommended changes.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to accept the following appointments, designations and City Council liaison assignments for 2014:

Deputy Mayor	Connie Carlson
City Attorney	Eckberg Law Firm
City Engineer	SEH (Barry Peters)
City Auditor	Schlenner Wenner and Co.
Deputy City Clerk	Asst. City Administrator (Sara Taylor)
Emergency Preparedness	Fire Chief (Mark Swenson)
Deputy Fire Chief(s)	Allen Eisinger, Mike Galowitz
Weed Inspector	Mayor (Susan St. Ores)
Assistant Weed Inspector	Public Works Supervisor (Mel Horak)
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, SIPC, Springsted, Inc., FTN, and ICDI
Planning Commission Liaison	Patrick McGann / Susan St. Ores, alternate
Library Board Liaison	Connie Carlson / Michele Hanson, alternate
Cable Commission Liaison	Michele Hanson / Connie Carlson, alternate
Middle St. Croix Watershed Liaison	Susan St. Ores / Dan Goldston, alternate
Lower St. Croix Partnership	Dan Goldston / Patrick McGann, alternate
Andersen Citizen Advisory Liaison	Dan Goldston / Michele Hanson, alternate

Consider City Council regular meeting and workshop dates for 2014: Assistant Administrator Taylor reviewed the proposed dates for 2014. Discussion followed on moving the September meeting date from the Tuesday after Labor Day to the second Monday of the month (September 8).

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to accept the City Council meeting and workshop dates as presented, with the exception of moving the September regular meeting and workshop date to Monday, September 8, 2014. Motion carried 5-0.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS - None

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:43 p.m. Motion carried 5-0.

City Administrator/Clerk