

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
FEBRUARY 5, 2018
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of February 5, 2018, to order at 6:05 p.m., and asked Councilmembers, staff, and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor St. Ores, Councilmembers John Buckley, Michele Hanson, and Patrick McGann

Members Absent: Connie Carlson

Staff Present: City Administrator Adam Bell, 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 McGann and seconded by Councilmember Hanson to approve the February 5, 2018 City Council agenda. Motion carried 4-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The January recycling award recipient was Karl Tyrrell, who will be awarded for his recycling efforts, with funding made possible by a grant from Washington County.

OPEN FORUM

The open forum is a portion of the meeting to address the City Council on subjects that are not a part of the meeting agenda. The City Council may take action or reply at the time of the statement or may give direction to staff regarding investigation of the concerns expressed. *A total of 15 minutes is allotted for the public comment period (not 15 minutes per person)*

1. Natalie Warren and Tony Vorwald, St. Croix River Association (SCRA), provided an update on SCRA activities, detailing a publication on zoning application best practices for the Lower St. Croix Riverway. Upcoming SCRA sponsored events were highlighted, including a "Bike and Boat to Bayport" event on May 12 at Lakeside Park that will dedicate a new bike rack at the park and promote recreation and stewardship of the St. Croix River.
2. John Dahl, 775 3rd Avenue North, requested police patrols and enforcement of the 24-hour vehicle parking and sidewalk snow/ice removal regulations. He expressed safety concerns with sidewalks that aren't cleared and streets that cannot be plowed curb-to-curb due to parked vehicles. He also believes the city may have prohibited short-term rentals (STR) based on negative activity at only one property and that referring to STR users as "transients" in the ordinance conveys an undesirable connotation. As a father, he would welcome the opportunity to expose his family to visitors from different parts of the country/world. One of his main concerns is that the city chose to regulate STR when other larger cities have not. He cited Maplewood, Minnesota as an example. He believes other unregulated activities, such as garage sales and selling items via Craigslist, pose a greater risk for criminal activity. He questioned the city's need to inspect STR properties when there is no such requirement for purchasing a home in Bayport. He hopes the City Council will reconsider how to regulate STR in the future.

3. Jed Seeger, 206 5th Street South, feels the city focused on the burdens of STR in Bayport when making its decision to prohibit the activity and did not give sufficient consideration to the benefits and value that STR would bring to the city. Without STR, there are no options for visitors to stay here and spend money at local businesses, as well as the revenue the homeowners would realize. He is in favor of STR, a simple registration process, and reasonable fee.

Administrator Bell reiterated what considerations were made in forming staff recommendations. He emphasized that a significant factor for staff was the lack of a workable model having yet been identified; however, it was also noted that staff will continue to monitor the issue. Administrator Bell also explained that the term “transient” was used intentionally as it is legally defined and used by most other cities.

Mayor St. Ores recognized the difficulty in making decisions that benefit the greater majority versus a minority of citizens. The City Council considers the overall tax impact to all property owners and she said the financial impacts of regulating STR in Bayport are unknown at this time. She appreciates the input shared by residents and said staff will continue to monitor STR as the industry evolves and the ordinance can be revisited in the future. Councilmember Hanson reiterated her support for STR in Bayport and her desire to revisit the topic.

CONSENT AGENDA

Mayor St. Ores read items 1-6 on the consent agenda.

1. January 8, 2018 City Council regular meeting minutes
2. January payables and receipts (check numbers 009312-009437)
3. January building, plumbing and mechanical permits report
4. Waiver of statutory tort liability limits for city insurance coverage
5. Special event application from Bayport Community Action League for 2017 events
6. Special event application from Kinnicroix Valley Girl Scouts for camp event at Lakeside Park on June 7-10, 2018

Councilmember Buckley introduced the following resolution and moved its adoption:

Resolution 18-02

RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-6 FROM THE FEBRUARY 5, 2018 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
John Buckley – aye	Patrick McGann – aye

PUBLIC HEARINGS

There were no public hearings.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Consider a resolution approving a final plat for Phase III-B, 4th addition for the remaining single-family lots within the Inspiration development: Planning Consultant Dan Licht reviewed Mattamy Homes application for final plat approval of Inspiration 4th Addition, which consists of 39 detached single

family lots and three outlots, and is the final phase of development of Inspiration Phase III-B. A Planned Unit Development (PUD) general development plan and preliminary plat for Phase III-B were approved by the City Council on May 4, 2015. The final plat will record the division of land and delineate the final property boundaries, streets and rights-of-way, and easements. With final plat approval, the developer will begin construction on the street and utility plans that have been approved by the city engineer. The developer will construct Inspiration Parkway North (between Primrose Path and Prairie Way) and Periwinkle Place to access the lots. Outlot A will be deeded to the city as expansion of the park property on the north side of the development. Outlot B includes stormwater basins and a trail connection between Periwinkle Place and Inspiration Parkway that will be maintained by the homeowner's association (HOA). Outlot C will be deeded to the HOA as passive open space for the neighborhood and includes a fire pit. The Planning Commission recommended approval of the final plat at the December 18, 2017 meeting. The city attorney drafted a Developer's Agreement and Planned Unit Development Permit to be executed as part of the final plat approval. City staff recommended approval of the final plat with the findings of fact and 12 conditions of approval noted in the planning report, the Developer's Agreement, and the PUD Permit. Planner Licht said this final plat approval will complete the single-family lot portion of the Inspiration development, and there is one remaining undeveloped outlot in the south portion of the development guided for condominium/multi-family units.

Brian Theis, Mattamy Homes, anticipates the infrastructure to be completed by August and new home construction to start at that time. M/I Homes purchased the remaining lots in Phase III-B, 3rd and 4th Additions, from Mattamy Homes and will be the homebuilder. Planner Taylor said while there is no public hearing required for final plat approval, the city has received positive comments from the Inspiration residents and the HOA about Mattamy and M/I Homes. Attorney Pratt said he is working with Mattamy's legal counsel on some minor, non-substantive revisions to the Developer's Agreement and recommends approval of the resolution before the City Council.

Councilmember McGann introduced the following resolution and moved its adoption, with non-substantive changes to the Developer's Agreement as approved by the city attorney:

Resolution 18-03

**RESOLUTION APPROVING A FINAL PLAT FOR INSPIRATION 4TH ADDITON,
CITY OF BAYPORT, WASHINGTON COUNTY, 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	Michele Hanson – aye
John Buckley – aye	Patrick McGann – aye

COUNCIL LIAISON REPORTS

Councilmember McGann said the Middle St. Croix Management Organization continues to monitor the water quality in Perro Creek.

Councilmember Buckley reported on the Planning Commission meeting held prior to tonight's City Council meeting. The Planning Commission recommended approval of a variance and conditional use permit for Andersen Corporation to allow expansion of their pasture warehouse to accommodate extrusion lines for their 100 Series and Renewal product lines.

Councilmember Hanson reviewed the January 29, 2018 Cable Commission meeting. She said a new Valley Access Channel staff member is providing coverage of local sports teams and generating interest in what the commission and studio have to offer.

STAFF/CITY ADMINISTRATOR REPORTS

Public Works Director Kline reported on the January 22 snow event, which measured 13 inches of snow in a short period of time. He reminded residents that there is a state statute prohibiting the plowing or blowing of snow into or across city streets. Residents were asked to find off-street parking whenever possible during a snowfall to allow the roadways to be plowed curb-to-curb, and to move vehicles at least every 24 hours as regulated by city ordinance. Mayor St. Ores thanked the Public Works staff for the great job in clearing city streets after the recent snowfalls.

Assistant City Administrator/Planner Taylor reviewed her written report. She reported staff has been in communication with representatives of the Inspiration HOA and the property owner of the parcel guided for condominium/multi-family units. The owner is exploring a townhome unit concept as opposed to a one building complex; however, she emphasized that no formal application has been submitted to the city by the prospective developer. Residents should receive the next issue of the city newsletter this week. In addition to working with Mattamy Homes on their final plat submission for Phase III-B, 4th Addition, Planner Taylor has been coordinating release of their letter of credit for Phase III-B, 3rd Addition. A joint meeting of the Planning Commission and City Council is tentatively scheduled for March 5 at 4:30 p.m. to review progress on the Comprehensive Plan update. She will provide additional details on the May 12 SCRA “Bike and Boat to Bayport” event at Lakeside Park as they become available.

City Administrator Bell referred residents to the Library, Fire and Police department written reports online. He reminded people about the Fire Department fundraiser dance scheduled for Saturday, February 17, 7:30 p.m., at the Bayport American Legion. Interviews for the open part-time police officer position are scheduled for next week. He reported a workshop will be held following tonight’s meeting to discuss reuse of the former fire hall and a possible water service extension to a proposed Baytown Township development. The Department of Corrections is interested in a five-year lease for the fire hall; their current lease with the city expires in June. He said the city will be updating its outdated phone system and the new technology will make the system more user friendly. The city will be participating in Washington County’s BOLDplanning program that allows cities to upload their emergency management plans online. There is no charge for this program.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Mayor St. Ores reminded residents of the Library’s expanded hours on Wednesday and Thursday mornings. The Library opens at 10 a.m.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Buckley to adjourn the meeting at 6:59 p.m. Motion carried 4-0.

City Administrator/Clerk