

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
MARCH 6, 2017  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of March 6, 2017, 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 St. Ores, Councilmembers John Buckley, Connie Carlson, Michele Hanson and Patrick McGann

Members Absent: None

Staff Present: City Administrator Adam Bell, Police Chief Laura Eastman, Fire Chief Allen Eisinger, Public Works Director Matt Kline, City Attorney Tom Lehmann, City Engineer John Parotti, and Assistant City Administrator/Planner Sara Taylor

**APPROVAL OF AGENDA**

Administrator Bell requested the first new business agenda item relating to changes to the building ordinance be removed. Staff needs additional time to research some recent information and make adjustments to the proposed ordinance amendment.

It was moved by Councilmember Carlson and seconded by Councilmember McGann to approve the amended March 6, 2017 City Council agenda. Motion carried 5-0.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS**

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

**OPEN FORUM**

Kevin Peterson, Washington County Project Manager for the CSAH 21 (Stagecoach Trail North) Pavement Management and Safety Improvement Project, provided an overview of the project that runs from 56<sup>th</sup> Street North in Oak Park Heights to Interstate 94. He said no project costs are anticipated for the City of Bayport and construction is planned for summer 2018. Mayor St. Ores noted the city had previously investigated establishing a railroad quiet zone in response to concerns raised by Inspiration residents. It was determined at that time the majority of the noise concerns came from areas outside of the city's jurisdiction, leaving the city with minimal ability to control a quiet zone. The county is projecting Stagecoach Trail traffic will reroute on to Highway 95 through Bayport once the new bridge is completed, and Councilmembers voiced concern with pedestrian safety and a continued desire to reach out to the Minnesota Department of Transportation regarding the city's concerns.

**CONSENT AGENDA**

Mayor St. Ores read items 1-5 on the consent agenda.

Councilmember Buckley introduced the following resolution and moved its adoption:

**Resolution 17-05**

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-5 FROM THE  
MARCH 6, 2017 CITY COUNCIL AGENDA**

1. February 13, 2017 City Council regular meeting minutes
2. February payables and receipts (check numbers 008144-008241)
3. February building, plumbing and mechanical permits report
4. Special event application from the Bayport Community Action League for an Earth Day event at Perro Park on April 22, 2017
5. Donation of \$4,000.00 to Fire Department for airboat from Michael Swisher

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  
John Buckley – aye

Connie Carlson – aye  
Michele Hanson – aye

Patrick McGann – aye

## **PUBLIC HEARINGS**

### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

Consider accepting the feasibility study and designating a date for a public improvement hearing for a utility extension, street reconstruction and drainage improvement project: Public Works Director Kline and City Engineer Parotti provided an overview of the feasibility study, including the project description and locations, assessment methods, estimated project costs and preliminary assessment roll. The main driver for the project is the addition of sewer and water for a new business on 2<sup>nd</sup> Avenue South that is required to connect to city utilities. Smaller projects to improve significant drainage issues and rehabilitate sections of the lowest rated streets were added to the project to attract larger scale contractors and realize favorable bid results. The total estimated cost of the project is \$669,000. Staff determined the 6<sup>th</sup> Avenue North and 3<sup>rd</sup> Avenue North drainage improvement projects were not assessable under city's current policy; however, the city plans to move forward with these projects. Councilmember Buckley questioned whether runoff from Andersen Corporation property was contributing to the drainage issue on 6<sup>th</sup> Avenue North and if they should assist financially to correct the problem. Engineer Parotti explained the project was developed using the Minnesota Statute 429 process whereby it must be determined an abutting property benefits from the project in order to assess a portion of the project to the property. Engineering field observations and mapping do not indicate the runoff from Andersen property is contributing significantly to the 6<sup>th</sup> Avenue North issue. Councilmember Hanson asked whether the underground utilities would be rehabbed along with the street reconstruction portions of the project. Engineer Parotti said maintenance measures are being determined based on recent sanitary sewer line televising. He anticipates some sewer pipe repairs and manhole lining will be required, the cost for which has been factored into the estimated project costs. Staff will check on whether the property on the corner of 4<sup>th</sup> Avenue South/4<sup>th</sup> Street South should be part of the assessable project. Mayor St. Ores said the goal for infrastructure repairs was to have a detailed plan in place well in advance of any improvement projects, to provide businesses and residents an opportunity to plan for property assessments. She recognized the need to extend sanitary sewer to the two commercial properties on 2<sup>nd</sup> Avenue South; however, she voiced concern that two residential properties are impacted by this section of the project. She was also concerned that over 20 other properties will be assessed with little time to plan for the expense. Her preference is to postpone all but the 2<sup>nd</sup> Avenue South project for another year but is interested in getting the affected property owners' feedback during the public improvement hearing. Engineer Parotti noted the City Council would be able to make adjustments to the scope of the project after the public improvement hearing. Staff reported the detailed infrastructure plan will be ready in one year and provide information for improvements over the

following 10 years. Councilmember Buckley asked whether the assessment payback could be extended beyond the city's policy of 10 years, and Public Works Director Kline said it would be very difficult to change the timing without revising the policy. Staff will also research if the city can defer the assessment roll to next year to assist property owners with financial planning. The general consensus of the City Council was to move ahead with the public improvement hearing. Affected property owners will be mailed a notice of a project open house on March 28 and the public improvement hearing on April 3, along with the preliminary assessment roll. Staff will be prepared to explain why each section of the project was selected and the assessment methodology.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 17-06**

**RESOLUTION RECEIVING A FEASIBILITY REPORT FOR A UTILITY EXTENSION, STREET RECONSTRUCTION, AND DRAINAGE IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA**

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

Councilmember Hanson introduced the following resolution and moved its adoption:

**Resolution 17-07**

**RESOLUTION SETTING A PUBLIC IMPROVEMENT HEARING DATE AND DISPENSING WITH THE NEED FOR PLANNING COMMISSION REVIEW FOR A UTILITY EXTENSION, STREET RECONSTRUCTION, AND DRAINAGE IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA**

Councilmember Hanson requested information about dispensing with the need for Planning Commission review. Public Works Director Kline said Planning Commission review is only needed for items that affect the city's comprehensive plan, and the scope of this project does not meet that criteria.

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                      Patrick McGann – aye  
John Buckley – aye                      Michele Hanson – aye

Consider implementation of a goose management plan on city property: Public Works Director Kline reported the Department of Natural Resources (DNR) mandates that any city that wants to control its goose population must create a goose management plan. The city plans to administer a deterrent spray during the peak summer feeding months and hire an outside contractor to net and remove the geese. The management plan includes additional alternative control methods that the city can implement, if it chooses to expand beyond the current practices. Councilmember Hanson stated her preference was to pursue options other than harvesting the geese. Public Works Director Kline stated that alternative methods have been used in the past by the city and adjacent Andersen Corporation, with limited, short-term results. Mayor St. Ores added that refraining from feeding the geese is one of the best deterrents.

It was moved by Councilmember Buckley and seconded by Councilmember Carlson to adopt the goose management plan as presented. Motion carried 5-0.

## **COUNCIL LIAISON REPORTS**

Councilmember Carlson reviewed the February 21 Library Board meeting. Pam Johnson was welcomed as a new board member and upcoming events were highlighted. The next Library Board meeting is scheduled for March 21, 6:00 p.m., at the library.

## **STAFF/CITY ADMINISTRATOR REPORTS**

Fire Chief Eisinger reviewed his written report and noted the February call volume was 92, with a year-to-date total of 215. The annual fundraising dance was very successful and over \$17,000 was raised, which is a 55% increase from last year. He reminded residents that only recreational fires are allowed in the city and burning leaves, brush, etc., is prohibited.

Police Chief Eastman reviewed the department's past and upcoming events, highlighting the April 1-2 Reserve Officer Academy training. She reminded people to stay off the ice on area lakes and rivers as it is very unpredictable.

Public Works Director Kline said the department has been able to begin spring projects with the recent warm weather, including cleaning sewer lines. He encouraged residents to call the city first if they experience a sewer backup, so staff can help determine if the blockage is the city's responsibility or the homeowners. Current projects were reviewed, and he noted the city was notified the Washington County CSAH 21 project reviewed in the open forum will not include a bike trail installation. The city will be turning on Perro Creek after the April 22 Earth Day cleanup event sponsored by the Bayport Community Action League (BCAL).

Assistant City Administrator/Planner Taylor reviewed the ongoing City Administrator transition and said the orientation is going well. The city has received the first of two \$16,000 grant payments from the Metropolitan Council for assistance in completing the mandated 2040 Comprehensive Land Use Plan update. She will be working with city staff and consultants to complete this update that is due by the end of 2018.

City Administrator Bell said he is enjoying his time meeting staff and touring city facilities and is looking forward to meeting residents and local business owners.

## **CITY COUNCIL ITEMS AND ANNOUNCEMENTS**

1. Councilmembers welcomed City Administrator Bell who began employment with the city on February 27, and thanked Assistant City Administrator Taylor for serving as the Interim City Administrator during the hiring process.
2. Residents interested in participating in the Saturday, April 22 Earth Day event sponsored by the BCAL are encouraged to meet at Perro Park at 2:00 p.m. The community service project will focus on cleaning up Perro Creek as it runs by the park. Participants are asked to bring gloves.
3. Mayor St. Ores reminded residents to bag up leaves for disposal and to never rake them into the street or creek.

## **ADJOURNMENT**

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adjourn the meeting at 7:42 p.m. Motion carried 5-0.

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City Administrator/Clerk