

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JULY 1, 2013
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of July 1, 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: Acting Administrator/City Planner Sara Taylor, Police Chief Laura Eastman, Engineer Barry Peters, and Attorney Andy Pratt

APPROVAL OF AGENDA

Acting Administrator Taylor reported that the applicants for the following new business item, *Consider variances to construct a detached garage in front of the principal dwelling and within the required front yard setback at 424 5th Street South*, had withdrawn their variance application and the item would be removed from new business.

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to approve the July 1, 2013 City Council agenda as amended above. Motion carried 5-0.

PROCLAMATIONS/COMMENDATIONS/PETITIONS/ANNOUNCEMENTS

1. The June recycling award recipient is Cynthia Huhnke who will receive \$30.00 for her recycling efforts, with funding made possible by a grant from Washington County.

OPEN FORUM

1. Randy Lagro, a manager for the Ames-Lunda joint venture providing construction services for the St. Croix River Crossing Project, reported they are working with Washington County to permit late night truck hauling on Stagecoach Trail to Miller Excavating for a 3-week period beginning late July or early August.
2. Jon Chiglo, Minnesota Department of Transportation (MnDOT), reviewed printed information on the newly implemented no wake worker safety zone for the St. Croix River and the roadway approach work for the new bridge. He noted the major traffic impact will begin mid-to-late July, when Highway 36 will be reconstructed and reduced to one lane in each direction. Reconstruction work on Highways 36 and 95 will be completed this fall. He noted that boaters have been courteous in complying with the no wake zone and appreciates this compliance that greatly impacts worker safety. He stated MnDOT cannot enforce the no wake zone, but DNR staff is reminding boaters of the need for no wake. He indicated once the south frontage road is completed by Club Tara, Beach Road will be closed and alternate routes to Highway 36 will be posted, until the new intersection of Highways 36 and 95 is completed.

3. James Kelly, Minnesota Department of Health (MDH), provided a brief update on the revised guidance level for trichloroethylene (TCE), noting that MDH and Minnesota Pollution Control Agency (MPCA) staff held an open house on TCE prior to tonight's meeting and would be available in the City Hall conference room after his remarks to answer questions. He indicated MDH is in discussion with MPCA and other agencies regarding funding sources for mitigating the TCE groundwater contamination in Bayport. Engineer Peters summarized the city's efforts to address the increasing levels of TCE in the municipal water supply, including the possibility of adding a dedicated water main from well #3 to the air stripper. The city has requested state bonding assistance for the project.
4. Todd Streeter, Greater Stillwater Chamber of Commerce, thanked the city for their contribution to the Community Symposium initiative and welcomed Bayport as a member of the chamber. He also recognized the city's support of the first Rockin' Ribs event held on June 15 at Lakeside Park, which he anticipates will be an annual event. He acknowledged the local sponsors, Andersen Corporation, First State Bank and Trust, and Xcel Energy, as well as the efforts of Public Works Supervisor Mel Horak.

CONSENT AGENDA

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

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 13-13

RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-16 FROM THE JULY 1, 2013 CITY COUNCIL AGENDA

1. May 21 and May 22, 2013 City Council workshop minutes
2. June 3, 2013 City Council workshop minutes
3. June 3, 2013 City Council regular meeting minutes
4. June 10, 2013 City Council special meeting minutes
5. June 19, 2013 City Council special meeting minutes
6. June payables and receipts (check numbers 1135930-1136055)
7. June building, plumbing and mechanical permits report
8. Accept donation of tree at Lakeside Park in honor of Marilyn Maxwell
9. Pay application from Infratech Infrastructure Technologies, Inc. for I/I improvements and manhole rehabilitation project
10. Special event application from Melissa Letcher and Andrew Hagen for wedding at Lakeside Park on Saturday, September 14, 2013
11. Renewal of 2:00 a.m. on-sale liquor license for Woody's Bar and Grill, 109 North 3rd Street
12. Accept \$200.00 donations to the Fire and Police Department donations from Harold Radke
13. Special event application from Brian Mastel, Run Stillwater, Inc., for race event on Sunday, October 20, 2013
14. Cooperative construction and maintenance agreements for Inspiration Parkway and Stagecoach Trail traffic signal
15. Joint Powers Agreement of the SWAT team serving Washington County
16. Authorization to submit a request for State Bonding Funds for Bayport TCE Groundwater Contamination Improvements (*Resolution 13-13A*)

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

PUBLIC HEARINGS

Consider 2nd Street South utility improvements: Engineer Peters reviewed the details of the proposed 2nd Street South Utility Improvement Project, noting the project originated with a request from the property owner at 239 1st Avenue South to explore the feasibility of bringing sewer service to the house, as well as providing sewer and water to the remainder of the parcel, in the event a lot split is pursued. The scope of the project was expanded to also explore the feasibility of extending utility service to the properties at 201 and 204 2nd Avenue South. The proposed improvements include paving the existing gravel streets and reconstructing 2nd Avenue South from 3rd Street South to Perro Creek, to meet current city standards. The estimated project costs (sanitary sewer, water main and street/storm sewer), cost recovery, and assessment basis were reviewed, as well the requirements for the Minnesota Statutes Chapter 429 assessment process. Engineer Peters stated the project would benefit the city by eliminating septic systems, providing water service to a commercial property, and reducing street maintenance costs. He stated the project had previously been discussed by the city, but was not established as a high priority, to the best of his knowledge.

Mayor St. Ores opened the public hearing and the following were heard:

Adam Bressler, co-owner of Valley Green, 204 2nd Avenue South, requested information on the proposed assessed cost to his property. He stated the assessment cost of over \$38,500.00 for his property would be a hardship for his business at this time and does not believe he could recover these improvement costs. He noted he would be interested in the project in the future and that his staff is rarely at the building, due to the nature of his lawn care business.

Mayor St. Ores stated the owners of the property at 239 1st Avenue South that had requested the original feasibility study had notified the city in writing that they do not want to pursue any improvements, due to the cost.

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

Attorney Pratt indicated assessments typically are spread out over a period of 10-20 years, with a maximum duration of 30 years, and the City Council sets the interest rate. Discussion followed on pursuing the project without expressed support from the affected property owners or identifying it as a city priority. The general consensus of the City Council was not to proceed with the project at this time; however, Mayor St. Ores noted the information will be useful for planning purposes should the city decide to move forward with the project in the future.

COUNCIL LIAISON REPORTS

Councilmember Hanson reported on a special meeting of the Cable Commission with its attorney to discuss a new 10-year franchise agreement with Comcast.

Councilmember McGann was unable to attend the June 10, 2013 Planning Commission, due to city administrator interviews.

Councilmember Carlson reviewed the June 20, 2013 meeting of the Library Board. She noted the library's website and Facebook page list many fun summer activities and encouraged residents to check them out. The next meeting is scheduled for Thursday, July 18, 2013, 6:00 p.m., at the library.

Mayor St. Ores reported that she attended the June Middle St. Croix Watershed Management Organization (MSCWMO) meeting and participated in the interview process for the new MSCWMO administrator. She thanked all of the applicants for the City of Bayport City Administrator position and recognized the success of the Rockin' Ribs event on June 15 and the efforts of city staff to prepare for the event. She also attended the Dane's Place pig roast fundraiser on June 29 and noted the Farmer's Market begins today at Perro Park. She expressed gratitude to the city's Fire, Police and Public Works staff who responded to the recent severe weather outbreak that resulted in many downed power lines and trees.

STAFF/CITY ADMINISTRATOR REPORTS

In Fire Chief Swenson's absence, Police Chief Eastman reviewed the Fire Department's June report, which focused mainly on the department's response to the recent severe weather event. She echoed Chief Swenson's remarks on how well the city departments worked together and with other agencies to ensure public safety.

Police Chief Eastman reviewed the department's June activity and recognized the assistance of the volunteer Reserve Officers at multiple events. She thanked Councilmember McGann for agreeing to take a taser hit during recent officer training, and he indicated it was a good opportunity to meet the officers and get a better understanding of their training. She reviewed the end of May and June call load, noting many significant events. Officers Jay Jackson and Zach Lund were recognized for their assistance during the severe weather outbreak on June 21. She reported Officer Quinn Willmarth serves on the Washington County SWAT Team and stated the new Joint Powers Agreement for the SWAT Team should be in place soon.

Mel Horak, Public Works Supervisor, was unable to attend the meeting, and councilmembers were encouraged to follow up with staff if they have any questions or concerns regarding his written report.

Acting Administrator Taylor reviewed her written report. She stated that on June 10, the Planning Commission held a public hearing on a preliminary plat application for the remaining 110 single-family lots in Inspiration Phase III-B. Discussion was continued to the July 22 Planning Commission meeting to allow time for the developer and city staff to address concerns raised at the public hearing. She noted the drainage improvement project at City Hall is complete and working well. The MSCWMO and Washington Conservation District staff was recognized for their assistance, as well as a cost-share grant from the St. Croix River Association that made the project possible. She reported the high water levels on the river have delayed the repairs to the 4th Avenue North boat launch and stated the boat ramp would be installed once the repairs are made. Logan Martin has been offered an employment contract as the new City Administrator, with a start date of July 22. Acting Administrator Taylor thanked councilmembers and residents for their patience and support during her tenure the past five months as the Acting City Administrator and also recognized the extra effort and workload of fellow city staff members during this period.

Mayor St. Ores acknowledged that city staff had received multiple emails from residents in Inspiration regarding plans for Phase III-B and thanked them for providing input on the application.

UNFINISHED BUSINESS

Consider fixtures for the Perro Park hockey rink improvements: Park Consultant Larry Wacker reported that city staff had visited hockey rinks in Woodbury and Oakdale to review options for installation of rink systems. Staff is in the process of finalizing plans and specifications for a bid package for the hockey boards and culvert installation at the creek crossing, with the lighting package handled separately through the U.S. Communities program. If approved by the City Council, advertisement for bids would be let on July 25 and due August 15. The hockey board bid

form will list the acceptable manufacturers as alternates, to provide the opportunity to make the selection based on durability, expected lifespan (20 years) and cost. Councilmember Hanson suggested enlarging the skirt on the north edge of the rink to provide a pathway between the rink and Perro Creek, and Mr. Walker stated staff would consider this option, based on soil boring tests and funds available. He noted there are options for pervious surfaces; however, at this time no pathways are planned for the park.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to authorize the solicitation of bids for the hockey board system and rink lighting. Motion carried 5-0.

Consider award of the 2013 Sealcoating Improvement Project: Engineer Peters reported the city received two bids on June 13 for the project that was bid as part of a combined project with two neighboring communities. Allied Blacktop submitted a bid of \$37,765.00 and Fahrner Asphalt Sealers' bid was \$43,520.15. Based on the city's previous experience with Allied Blacktop, staff recommended awarding the bid to the low bidder, Allied Blacktop.

It was moved by Councilmember Carlson and seconded by Councilmember Goldston to award the 2013 Sealcoating Improvement Project to Allied Blacktop, Maple Grove, Minnesota, in the amount of \$37,765.00. Motion carried 5-0.

Consider authorization to solicit quotes and complete pump improvements to well #3: Engineer Peters reported he has been working with Public Works to investigate the condition of the well #3 pump and motor. Upon inspection, it was determined the pump and motor should be replaced, along with the associated electrical and re-piping work that would be required. The estimated cost of the improvements is \$62,400.00. Staff recommended the City Council authorize staff to obtain quotes for the purchase and installation of a new pump, motor and related electrical and piping work. Since well #3 is currently out of service, staff further recommended authorization for staff to award the project to the low quoter and authorize the improvement project, if the low quote is similar to the engineer's estimate. The improvements would be paid from the Water Enterprise Fund, and Engineer Peters stated staff would pursue available rebates from Xcel Energy. It was noted these improvements would be necessary if water from this well were to be pumped to the air stripper, to mitigate the TCE in the city's municipal water supply.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to authorize staff to obtain quotes for the purchase and installation of a new pump and motor for well #3 and associated electrical and re-piping work, and to award the project to the low quoter and authorize the improvements prior to the August meeting, for a cost not to exceed \$62,400.00. Motion carried 5-0.

NEW BUSINESS

Consider appointing a new City Administrator: Dave Unmacht, Sprinsted, Inc., reviewed the revised City Administrator job description, employment agreement, and short and long term goals for Logan Martin, who recently accepted the City Administrator position. He stated the terms of the employment agreement are representative of other administrator agreements. He recommended adoption of the employment agreement and related job description and goals for Logan Martin.

It was moved by Councilmember Carlson and seconded by Councilmember Hanson to adopt the City Administrator Employment Agreement by and between Logan Martin and the City of Bayport. Motion carried 5-0.

Logan Martin stated he was excited to begin his employment with the city and thanked the City Council for the opportunity to serve in this position. His first day of work will be Monday, July 22.

Dave Unmacht thanked the City Council and Acting Administrator Taylor for the opportunity to lead the executive search and for their assistance with coordinating the logistics of the hiring process. Mayor St. Ores and councilmembers also thanked and commended Acting Administrator Taylor for her interim role as the City Administrator.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

1. Councilmember Carlson announced that the annual Bayport Women's Open would be held Friday, August 2, 2013 at the Stillwater Country Club. The event is open to all women who live, work or previously lived in Bayport. Registration information will be available on posters placed throughout the city or by contacting Councilmember Carlson.
2. Mayor St. Ores thanked the Maxwell family for the donation of a tree in Lakeside Park and Harold Radke for his monetary donations to the Fire and Police Departments.
3. Councilmember Goldston inquired about city crews picking up storm debris and Acting Administrator Taylor indicated the Public Works staff continues to pick up tree debris that is left curbside. Residents should contact City Hall if they have storm debris that needs to be picked up.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Goldston to adjourn the meeting at 7:45 p.m. Motion carried 5-0.

Acting City Administrator/Clerk