

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
May 6, 2019
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Deputy Mayor Carlson called the regular City Council meeting of May 6, 2019, 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: Deputy Mayor Connie Carlson, Councilmembers John Buckley, John Dahl and Michele Hanson

Members Absent: Mayor Susan St. Ores

Staff Present: City Administrator Adam Bell, Police Chief Laura Eastman, Fire Chief Allen Eisinger, Public Works Director Matt Kline, City Engineer John Parotti, and City Attorney Andy Pratt

APPROVAL OF AGENDA

It was moved by Councilmember Buckley and seconded by Councilmember Dahl to approve the May 6, 2019 City Council agenda. Motion carried 4-0.

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

1. March and April recycling award recipients are Nikki and Justin Westbrook and Lee and Maggie Stoerzinger who will be awarded for their recycling efforts, with funding made possible with a grant from Washington County.

OPEN FORUM

Robert Dickie and Diane Polasik of Friends of the Lower St. Croix Community Center addressed the City Council about the need for a community recreational facility. They indicated that Lakeview Hospital has approached their organization and expressed interest in partnering with surrounding communities to build a community fitness and recreation center. It could be part of their proposed new campus at the corner of Manning Avenue North and Highway 36. Mr. Dickie is requesting that the City of Bayport engage in further discussions with Lakeview Hospital and the surrounding communities of Stillwater, Lake Elmo and Oak Park Heights.

CONSENT AGENDA

Deputy Mayor Carlson read items 1-15 on the consent agenda.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 19-13

**RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-15 FROM THE
MAY 6, 2019 CITY COUNCIL AGENDA**

1. March 25, 2019 City Council special meeting minutes
2. April 1, 2019 City Council special meeting minutes
3. April 1, 2019 City Council regular meeting minutes
4. April payables and receipts (check numbers 010952-011053)
5. April building, plumbing and mechanical permits report
6. Monetary donation request from Bayport American Legion Post 491 for Memorial Day Parade
7. Special event application from Bethlehem Lutheran Church for Second Sunday Supper events

8. Special event application for a groom's dinner and related activities at Lakeside Park on June 27, 2019
9. Special event application for group fitness classes at Barker's Alps Park June 3 - August 29, 2019
10. Special event application from Bayport American Legion for Memorial Day Parade
11. Special event application from Andersen Corporation for corporate picnic and 5K fun run on June 22, 2019
12. Monetary donation from Phil and Susan St. Ores for city flood efforts
13. Hiring of Ryan Ruzich as a part-time police officer and PERA declaration (Resolution 19-14)
14. Request from Youth Service Bureau to increase city's annual contribution for programming and service
15. Temporary drainage and utility easement agreement for 796 2nd Avenue North

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

Connie Carlson – aye
John Buckley – aye

Michele Hanson – aye
John Dahl – aye

SWEARING IN OF POLICE OFFICER RYAN RUZICH

Police Chief Eastman presented Officer Ryan Ruzich to City Councilmembers. Ryan has been a reserve Officer with the City of Bayport for two years and is also employed by Minnesota Department of Corrections as an Investigator. Deputy Mayor Carlson administered the oath and Reserve Sergeant Tom Ruzich pinned Ryan's badge.

PRESENTATION OF THE 2018 CITY AUDIT

Ryan Schmidt, Schlenner Wenner and Company, reviewed the city's 2018 audit results, stating the city received an unmodified (clean) opinion on its financial statements with no concerns noted during the audit process. As with past years, there was one significant estimate noted as related to the net pension liability and balances. Segregation of duties and posting of audit adjustments were noted under internal control findings, which are common findings for smaller cities like Bayport. The financial highlights of each of the city's governmental funds were reviewed. The general fund balance increased in 2018, due to building permit sales. The general fund balance at the end of 2018 was very strong at approximately \$6 million. The water and sewer funds have been stable over the past five years, with moderate deficits noted, mostly due to depreciation. The end-of-year water fund balance was approximately \$6.4 million and the sewer fund balance was approximately \$3.1 million. The city's total government-wide assets and liabilities were reviewed, with a positive trend in the growth of assets since 2013.

It was moved by Councilmember Hanson and seconded by Councilmember Dahl to accept the 2018 City Audit as presented. Motion carried 4-0.

PUBLIC HEARINGS

Assessment hearing for the 2019 Sidewalk Improvement Project: Public Works Director Kline reported that tonight's public hearing is part of the process required for projects that include assessments, per Minnesota Statute 429. Director Kline and staff have received positive feedback on the project from several of the affected residents. An overview of assessment payment methods was given. Deputy Mayor Carlson opened the public hearing and no comments were received.

It was moved by Councilmember Buckley and seconded by Councilmember Hanson to close the public hearing. Motion carried 4-0.

Public improvement hearing for city infrastructure upgrades associated with the MnDOT 2020 Highway Improvement Project: Public Works Director Kline reviewed that the City Council adopted a resolution setting a date for the public improvement hearing for the project at the April 1, 2019 meeting. The public hearing is part of the process outlined in Minnesota Statutes 429 regarding assessment procedures. The public improvement hearing is the first of two public hearings required by the statute. Director Kline provided a high-level overview of the project necessity, including water main replacement/abandonment, sewer main lining/repair, and street lighting. The project also involves non-assessable work, including cross-walk flashers and median

improvements. Some concerns were raised by Councilmembers Buckley and Hanson if street lighting improvements should be subject to property owner assessment.

Deputy Mayor Carlson opened the public hearing and the following were heard:

Eric Zawislak, 473 2nd Street North, spoke on behalf of St. Charles Church, 409 3rd Street North, where he is a board member. Mr. Zawislak and St. Charles Church are opposed to the proposed assessment, asserting that the projected cost would far outweigh any increased real estate value for the church property. He is asking the city for a real estate appraisal to support the request that St. Charles be assessed 50% of the cost of water main improvement on their property. He is also asking Public Works Director Kline and City Engineer Parotti to consider abandoning the water line at the subject property and allow the church to connect to water on a side street to avoid the Highway 95 improvement assessment.

Roger Zolden, 297 5th Avenue North, asked that his property be removed from the street lighting portion of the assessment. He cited that street lights are used by all residents of Bayport and he should not be responsible for this assessment cost. Councilmembers Buckley and Hanson indicated further discussion was required to determine if lighting costs should be assessed.

It was moved by Councilmember Buckley and seconded by Councilmember Hanson to close the public hearing. Motion carried 4-0.

UNFINISHED BUSINESS

Consider a resolution adopting the assessment roll for the 2019 Sidewalk Improvement Project: Deputy Mayor announced the agenda item.

Councilmember Buckley introduced the following resolution and moved its adoption:

Resolution 19-14

A RESOLUTION ADOPTING ASSESSMENTS FOR THE 2019 SIDEWALK IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA

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

Connie Carlson – aye
John Buckley – aye

Michele Hanson – aye
John Dahl – aye

NEW BUSINESS

Consider accepting the highest sealed bid and sale of a 1994 Pierce Heavy Rescue vehicle from the Fire Department: Fire Chief Eisinger indicated this vehicle was advertised for sale in the Stillwater Gazette and the City of Bayport website. One bid was received, in the amount of \$9,880.00, from Steve St. Claire of Miller Excavating. Chief Eisinger recommended acceptance of the bid.

It was moved by Councilmember Dahl and seconded by Councilmember Buckley to accept the bid of \$9,880.00 for the 1994 Pierce Heavy Rescue Vehicle. Motion carried 4-0.

CITY COUNCIL LIAISON REPORTS

Councilmember Dahl announced that the next meeting of the Middle St. Croix Watershed Management Organization (MSCWMO) will be held on May 9 at 6:00 p.m. at the Bayport Public Library.

Councilmember Buckley announced that the Planning Commission will meet on May 20. He is also meeting with Andersen Corporation on May 8.

Deputy Mayor Carlson announced the library's summer reading kickoff will be held on June 5 in conjunction with the Bayport Community Action League Ice Cream Social at Lakeside Park. The next Library Board meeting will be May 20 at 6:00 p.m.

STAFF/CITY ADMINISTRATOR REPORTS

Fire Chief Eisinger's report was delivered by Administrator Bell. The department took delivery of a new fire truck and it is already in service. The new truck has eliminated the need for a trailer on an existing light duty rescue vehicle. The trailer will eventually be offered for sale. The Fire Department is currently testing out a new fire/rescue boat. The department has been fundraising extensively for this new equipment and they are only a few thousand dollars short of their target. No requests have been made for city funding of this new equipment.

Police Chief Eastman reported that she attended a Chief of Police training event in St. Cloud on April 15-17. There was an all staff meeting and less-lethal training on April 18. The Reserve Academy has 5 new reserve officers that participated in two days of training in anticipation of the Bayport Memorial Day Parade on May 27. The department will be participating in the Andersen Elementary School 'Bike to School' safety event on May 8. Chief Eastman also indicated that a new hands-free bill was signed into law regarding cell phone use. It will take effect August 1 in an attempt to reduce distracted driving.

Public Works Director Kline reported that flood mitigation efforts continue and residents can request sandbag pickup. A new street sweeper and snow plow were delivered this month and both vehicles have been put into service. He indicated that his department continues work on the 2nd Avenue Drainage Project and the Highway 95 Improvement Project. The shelter at Barker's Alps Park should have a drinking fountain and electrical outlets installed by June 1. The department continues to seek candidates for seasonal employment.

City Administrator Bell delivered Assistant Administrator/Planner Taylor's report. City staff anticipates convening landowners to execute the purchase agreements for the Land and Water Legacy Project by mid-May. A special City Council meeting may be required to approve the purchase agreements and enable the city to then proceed with the Phase 1 Environmental Assessment prior to closing. Two land-use applications are anticipated to be considered at the upcoming Planning Commission Meeting on May 20.

City Administrator Bell attended the Greater Stillwater Chamber Toast and Topics/State of the Cities on April 24 with the cities of Stillwater and Oak Park Heights. At this meeting, Administrator Bell reviewed new businesses in Bayport, the Villas of Inspiration development, the MnDOT 2020 project, Lakeside Park playground equipment upgrades, the Land and Water Legacy project, and short term rentals. Administrator Bell attended the Minnesota City/County Managers' Conference May 1-3.

CITY COUNCIL ITEMS AND ANNOUNCEMENTS

Councilmember Hanson reported that the Bayport Community Action League (BCAL) citywide garage sales will be held May 31 and June 1. The Farmers Market will begin in mid-June, and the BCAL Ice Cream Social will be held at 6:00 p.m. on June 6 at Lakeside Park.

ADJOURNMENT

It was moved by Councilmember Dahl and seconded by Councilmember Hanson to adjourn the meeting at 7:54p.m. Motion carried 4-0.

City Administrator/Clerk

