

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
APRIL 5, 2021  
6:00 P.M.**

\*\* Due to COVID-19 and social distancing protocols, this meeting was conducted by electronic means as permitted by Minnesota Statute 13D.021 due to a health pandemic or declared emergency. \*\*

**REGULAR MEETING**

**6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor St. Ores called the regular City Council meeting of April 5, 2021, to order and asked Councilmembers, staff, and the audience to join in pledging allegiance to the American Flag.

**ROLL CALL (St. Ores, Carlson, Dahl, Hanson, and Gilmore)**

Members present: Mayor Susan St. Ores and Councilmembers Connie Carlson, Michele Hanson, John Dahl, and Ethan Gilmore (present by electronic means).

Staff present: City Administrator Adam Bell, Assistant Administrator/Planner Sara Taylor, Fire Chief Allen Eisinger, Police Chief Laura Eastman, City Engineer John Parotti, and City Attorney Tom Loonan (present by electronic means). Public Works Director Matt Kline joined the meeting at 7:05 p.m.

**APPROVAL OF AGENDA**

It was moved by Councilmember Carlson and seconded by Councilmember Gilmore to approve the City Council agenda and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

**PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS**

Mayor St. Ores noted the March recycling award recipient is Jason Obler, 1137 Pioneer Trail, who will be awarded for recycling efforts, with funding made possible with a grant from Washington County.

**OPEN FORUM**

There were no public comments.

**CONSENT AGENDA**

Mayor St. Ores read items 1-10 on the Consent Agenda. Councilmember Dahl introduced the following resolution and moved its adoption:

**Resolution 21-10**

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-10 FROM THE  
APRIL 5, 2021 CITY COUNCIL AGENDA**

1. March 1, 2021 City Council workshop minutes
2. March 1, 2021 City Council regular meeting minutes
3. March payables and receipts
4. March building, plumbing, mechanical, and zoning permits report
5. Joint Powers Agreement with Washington County Sheriff's Office Records Management System
6. Purchase and installation of a new generator for the air stripper water treatment facility
7. Purchase of solar powered radar speed sign
8. Park donation of \$50.00 from the St. Croix Valley Athletic Association
9. Joint Powers Agreement with Washington County Mobile Field Force Unit

10. Conservation easement with Minnesota Land Trust for city owned outlots within the plat of Inspiration 3<sup>rd</sup> Addition to be preserved as protected properties in accordance with the Planned Unit Development Stage Plan

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

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

## **PUBLIC HEARINGS**

There were no public hearings.

## **UNFINISHED BUSINESS**

1. Consider a resolution accepting a bid for proposed 2021 city infrastructure improvements: Administrator Bell highlighted the staff memo prepared by Public Works Director Kline. The bids were less than the original cost estimate and the assessment roll will be updated accordingly. He noted that the low bid was submitted by Miller Excavating, Inc. of Stillwater, MN in the amount of \$434,933.33 and staff was recommending approval. Following the bid award, the City Council will be asked to consider declaring the cost to be assessed and ordering the preparation of assessments and setting a public assessment hearing for proposed 2021 city infrastructure improvements.

Councilmember Dahl introduced the following resolution and moved its adoption:

**Resolution 21-11**

### **A RESOLUTION ACCEPTING A BID FOR A 2021 INFRASTRUCTURE IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA**

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

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

2. Consider a resolution declaring the cost to be assessed and ordering the preparation of assessments for proposed 2021 city infrastructure improvements.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 21-12**

### **A RESOLUTION DECLARING THE COST TO BE ASSESSED AND ORDERING PREPARATION OF ASSESSMENTS FOR A 2021 INFRASTRUCTURE 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 thereon, the following voted via voice:

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

3. Consider a resolution setting a public assessment hearing for proposed 2021 city infrastructure improvements.

Councilmember Dahl introduced the following resolution and moved its adoption:

**Resolution 21-13**

**A RESOLUTION SETTING A PUBLIC ASSESSMENT HEARING FOR A 2021 INFRASTRUCTURE IMPROVEMENT PROJECT WITHIN THE CITY OF BAYPORT, MINNESOTA**

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

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

4. Consider a proposal from SEH for construction engineering services for proposed 2021 city infrastructure improvements: City Engineer Parotti reviewed the staff report prepared by Public Works Director Kline, as well as the scope of work included in the proposal from SEH in the amount of \$48,650. Engineering costs are roughly 21% when compared to the construction cost and this falls within the normal range of 20-25%. Staff is recommending approval of the proposal.

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to accept a proposal from SEH for construction engineering services for proposed 2021 city infrastructure improvements and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

5. Consider a resolution for the extension of municipal water infrastructure to the proposed Hills of Spring Creek residential development in Baytown Township: Administrator Bell noted this topic was discussed at both the March 1 City Council workshop and regular meeting. Additional water modeling has confirmed that the existing water system has adequate capacity to provide service to the Hills of Spring Creek with potable water, as well as both existing and some specific potential future Baytown properties. Discussion followed on current and future water demand/usage, water system capacity, and concern regarding enforcement of potential illicit connections of potable water for irrigation use. City Attorney Loonan reiterated that the city's responsibility in considering this extension shall be focused on whether the current water system has adequate capacity to serve the subdivision, as stipulated in the Joint Powers Agreement with Baytown. The data presented by the water model confirms that adequate capacity exists. He also noted that the draft resolution clearly states that the extension is for potable water only, irrigation shall be provided by a stormwater reuse system, no cross-connections may exist between municipal potable water and the irrigation system, and that the city may require water conservation practices be implemented to sustain area water supply and promote environmental stewardship.

City Engineer Parotti and Public Works Director Kline clarified that mechanical upgrades to the current water system will be necessary regardless of whether an extension is provided to serve this subdivision. The trunk area charges that would be paid by the developer for the extension are substantial and would be used to help fund the mechanical upgrades. In addition, the extension provides an opportunity in the future to loop the water system, allowing for improved water quality/flow and system redundancy in the event a portion of the loop is shut off due to an emergency. Civil Engineer Matt Heib (for the developer) reiterated that the request is only for potable water and irrigation will be provided by a stormwater reuse system. While several councilmembers voiced their unease with the extension, it was acknowledged that under the JPA, the city had little flexibility to reject the proposal if the capacity existed.

Councilmember Hanson introduced the following resolution and moved its adoption:

**Resolution 21-14**

**A RESOLUTION APPROVING AN EXTENSION OF MUNICIPAL WATER INFRASTRUCTURE TO THE PROPOSED HILLS OF SPRING CREEK RESIDENTIAL SUBDIVISION WITHIN BAYTOWN TOWNSHIP, MINNESOTA**

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

Susan St. Ores - aye  
John Dahl - nay

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

## **NEW BUSINESS**

### 1. Consider a special event application from Bayport American Legion for Memorial Day Parade on May 31, 2021:

Administrator Bell noted that due to COVID, the parade was canceled last year. As proposed, the 2021 parade exceeds the current state guidelines with an estimated attendance of 3,500-5,000 and would not be allowed. Most cities with similar annual parades or events through June have been suspended until further guidance is provided by the state and Center for Disease Control (CDC). He noted that significant planning and preparation is required for the parade, specifically by the Police and Public Works Departments in the way of staffing, parking/traffic control, cemetery preparation, etc. Due to current circumstances and not knowing whether state guidelines will be revised in the coming month, staff is regrettably recommending denial of the event or tentative approval at this time, with specific conditions/regulations. The consensus of the City Council was that the parade was a much beloved and popular community event, but recognized the implications and difficulties with approving and/or planning for an event that did not comply with the current state/CDC guidelines. Discussion followed on alternatives for the parade, such as postponing and incorporating it into the Derby Days schedule in September and/or holding a special City Council meeting later in April if the guidelines change to allow such an event and there is adequate time to plan and prepare accordingly.

It was moved by Councilmember Dahl and seconded by Councilmember Hanson to deny a special event application from Bayport American Legion for Memorial Day Parade on May 31, 2021, with a stipulation that the City Council may reconsider the application at a special meeting should state guidelines be updated to allow such an event and there is adequate time to plan and prepare accordingly. Upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

## **CITY COUNCIL LIAISON REPORTS**

Councilmember Carlson reported on a recent meeting of the Library Board that focused on a proposed remodel of the Library building, as presented and discussed at the workshop held prior to this evening's regular meeting.

## **STAFF/CITY ADMINISTRATOR REPORTS**

Fire Chief Eisinger reported that the 2021 call volume is 62, compared to 73 in 2020. The year-to-date call volume is 175, compared to 241 in 2020. Monthly drills focused on "Right to Know" and confined space. He announced a burning ban is currently in effect and reminded residents that burning yard waste or other material as a means of disposal is not allowed.

Police Chief Eastman reported on the part-time Police Officer hiring process, as well as use of force and department weapon training. The 2021 year-to-date call volume is 1,558.

Public Works Director Kline reported on early spring maintenance work, an upcoming water quality improvement project with the Girl Scouts, and updated water modeling for the proposed Hills of Spring Creek development in Baytown. He recognized and thanked the Sentence to Serve (STS) crews and leaders for their help over the past year with the miscellaneous street, park, and cemetery maintenance projects.

Assistant Administrator/Planner Taylor reported on the recent edition of Bayport News, part-time Office Support hiring process, citizen interest in serving on the Inspiration Stewardship Foundation, and a design scope for the permanent access location at the Clean Water, Land, and Legacy property. The next meeting of the Highway 36 Transit Technical Advisory Work Group will be held on April 15 and the Allen S. King Plant Decommissioning Advisory Panel meetings will resume in June.

Administrator Bell reported on the new city website, highlighting options and features. He provided a recap of the 2020 city audit process, the anticipated American Rescue Plan COVID-19 recovery funding, and noted that a May 3 City Council workshop has been scheduled to discuss the status of the Greystone Bar with the property owner. A total of 315 responses have been received thus far on the speed limit survey and the deadline to submit responses is April 19.

**COUNCIL ITEMS AND ANNOUNCEMENTS**

There were no comments.

**ADJOURNMENT**

It was moved by Councilmember Hanson and seconded by Councilmember Dahl to adjourn the meeting at 8:04 p.m. and upon roll call being taken thereon, the following vote via voice:

Susan St. Ores - aye  
John Dahl - aye

Connie Carlson- aye  
Michele Hanson -aye

Ethan Gilmore - aye

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City Administrator/Clerk

