

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JULY 10, 2023
6:00 P.M.**

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

Pursuant to due call and notice, Mayor Hanson called the regular City Council meeting to order and asked councilmembers, staff, and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members present: Mayor Hanson and Councilmembers John Dahl, and Katie Hill

Members absent: Councilmembers Connie Carlson and Ethan Gilmore

Staff present: City Administrator Matt Kline, Assistant City Administrator/Planner Sara Taylor, Sergeant Jay Jackson, Police Chief Laura Eastman, City Attorney Tom Loonan, and Public Works Director Simon Wirth

APPROVAL OF AGENDA

It was moved by Councilmember Dahl and seconded by Councilmember Hill to approve the agenda. Motion carried 3-0.

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

Mayor Hanson noted the June recycling award recipient is Paul Parenteau at 206 2nd Street North who will be awarded for recycling efforts with a grant made possible by Washington County. Chief Eastman and Sergeant Jackson presented a Life Saving Award to Officer Aaron Slinger and Sergeant Jackson also presented a Life Saving Award to Chief Eastman. Mayor read a Proclamation for Night to Unite to be held on August 1, 2023.

OPEN FORUM

Ethan Bell introduced himself as the new business owner of Bells Kitchen at 193 3rd Street North.

CONSENT AGENDA

Councilmember Hill introduced the following resolution and moved its adoption:

Resolution 23-11

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-8 FROM THE
JULY 10, 2023 CITY COUNCIL AGENDA**

1. June 5, 2023 City Council workshop minutes
2. June 5, 2023 City Council regular meeting minutes
3. June payables and receipts
4. June building, plumbing, mechanical, and zoning permits report
5. Bayport Fire Relief Association approval of SC-23 form
6. Donation of hose roller to Fire Department from First Response Fire and Safety
7. Temporary liquor license from Stillwater Knights of Columbus for Andersen Corporation picnic on August 12, 2023
8. Temporary liquor license from Afton Bayport Lakeland Lions Club for Derby Days on September 16, 2023
9. Fireworks display permit from Bayport Community Action League for Derby Days on September 16, 2023
10. Hiring of Kamra Heldman as a part-time library clerk
11. Sale of Fire Department 2009 Chevrolet Pickup through State of Minnesota MinnBid Auction

The motion for adoption of the foregoing resolution was duly seconded by Councilmember Dahl and upon roll call being taken thereon, the following vote via voice:

Michele Hanson - aye

John Dahl - aye

Katie Hill - aye

PUBLIC HEARINGS

There were no public hearings.

UNFINISHED BUSINESS

1. Consider amendments to Appendix E - Floodplain Management of the Bayport City Code of Ordinances: Administrator Kline stated this discussion has been continued from the June 5, 2023 City Council meeting so staff could provide additional detail on the significant changes from the current version of the ordinance. He explained that based on resident comments received at the last meeting and correspondence that has been circulating amongst residential property owners along the river, there seems to be a misconception about the proposed ordinance updates. He clarified that the ordinance that is proposed is not a new ordinance with more stringent regulation for residential properties within the floodplain. It is an update to the city's current floodplain ordinance to help clarify many of the standards the city struggles with interpreting and applying the most frequently and to comply with provisions to participate in the National Flood Insurance Program. Administrator Kline explained that the ordinance is also not being changed to allow for the city to enter private property in the floodplain for no reason or in regards to permit requirements resulting from flood, fire, or natural disaster consequences.

Planner Taylor explained that within the proposed updated ordinance, staff has provided reference to corresponding sections of the existing ordinance in the margin and/or comments regarding changes. She clarified that the Floodplain Management Ordinance is a completely separate ordinance from the Lower St. Croix River Bluffland and Shoreland Ordinance. The floodplain ordinance primarily regulates elevation of structures, roads, utilities to protect residents from flood hazards and minimize the loss of property and public expenditure resulting from flood damage. The riverway ordinance regulates setbacks, height and color restrictions, building expansion limitations, vegetative screening, etc., which are the provisions that property owners along the river are most familiar with and most impacted by. She concluded the presentation with an overview of the significant changes itemized in the staff report.

Mayor Hanson acknowledged several residents in attendance regarding this topic and invited them to comment.

Phil St. Ores, 345 Lake Street, questioned whether the ordinance would impact the ability to add fill to the St. Croix Conservation parcel on the river proposed for future park improvements and suggested specific elevations be included in the ordinance for the base flood elevation and the regulatory flood protection elevation.

Jane Keyes, 385 Lake Street, asked if the city has flood insurance for buildings/facilities in the floodplain.

Robin Ellingson, 515 Lakeside Drive and Jodi Defiel, 307 Lake Street, advocated for residents who routinely experience flooding and questioned whether the ordinance would impact insurance rates and their ability to make improvements to the property. They requested additional time for residents to review and better understand the ordinance before adoption.

Chris Hayner, 11 Point Road, and Bill Bergstrom, 12 Point Road, voiced concern over the definition of "repetitive loss."

Kris Kregel, 18 Point Road, noted that the locks and dams control the river, so substantial flooding does not occur.

The City Council expressed support for the proposed ordinance amendments, but were willing to entertain the request for additional time for residents to review the ordinance and seek clarification from city staff on the proposed amendments prior to adoption.

It was moved by Mayor Hanson and seconded by Councilmember Dahl to table further discussion until the August 7, 2023 City Council meeting. Motion carried 3-0.

NEW BUSINESS

There was no new business.

CITY COUNCIL LIAISON REPORTS

Councilmember Dahl reported on the June Middle St. Croix Watershed Management Organization meeting. He noted test numbers for sampling of e. coli in Perro Creek have been going in the right direction over the past few years.

Councilmember Hill reported on Bayport Community Action League stating the ice cream social was well attended and they are working on the final details for Derby Days.

Mayor Hanson attended the Fire Relief Association meeting where the SC23 form was approved for member retirements. She met with the managing editor of the Stillwater Gazette to discuss current topics in the city and attended the Regional Council of Mayors meeting. She also met with the principal at Andersen Elementary about relocation of the school and the district's commercial real estate agent to discuss reuse options for the existing school building.

STAFF/CITY ADMINISTRATOR REPORTS

City Administrator Kline stated that the citywide cleanup week was a great success with Tennis Sanitation and Second Chances Recycling providing curbside collection. He introduced Simon Wirth as the new Public Works Director.

COUNCIL ITEMS AND ANNOUNCEMENTS

There were no comments.

ADJOURNMENT

It was moved by Mayor Hanson and seconded by Councilmember Dahl to adjourn the meeting at 7:57 p.m. Motion carried 3-0.

City Administrator/Clerk