

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
SEPTEMBER 13, 2021
6:00 P.M.**

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 September 13, 2021, to order and asked Councilmembers, staff, and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members present: Mayor Susan St. Ores and Councilmembers Michele Hanson, Ethan Gilmore, Connie Carlson and John Dahl

Staff present: City Administrator Adam Bell, Public Works Director Matt Kline, and City Attorney Tom Loonan. Assistant City Administrator/Planner Sara Taylor present by electronic means.

APPROVAL OF AGENDA

It was moved by Councilmember Dahl and seconded by Councilmember Carlson to approve the City Council agenda. Motion carried 5-0.

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

Mayor St. Ores noted the August recycling award recipient is Janelle Duffee, 978 Inspiration Parkway N. who will be awarded for recycling efforts, with funding made possible with a grant from Washington County.

OPEN FORUM

Superintendent Malinda Lansfeldt of the Stillwater Area Public School Board provided an overview of an upcoming special election on November 2, 2021 to increase their operations levy and create a new technology levy.

Girl Scout Addyson Preuss presented on a Silver Award Project to educate citizens about the Washington County Food Scraps (Organics) Drop-off Program (Girl Scout project partner Violet Dahl was not able to attend the meeting). She requested the city consider partnering with the county to pursue an organics drop-off site for residents in Bayport.

CONSENT AGENDA

Mayor St. Ores read items 1-14 on the Consent Agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 21-22

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-14 FROM THE
SEPTEMBER 13, 2021 CITY COUNCIL AGENDA**

1. August 2, 2021 City Council workshop minutes
2. August 2, 2021 City Council regular meeting minutes
3. August 23, 2021 City Council workshop minutes
4. August payables and receipts
5. August building, plumbing, mechanical, and zoning permits report
6. City donation to the Bayport Community Action League for Derby Days fireworks display
7. Designation of representatives for Bayport Fire Department Service Agreement seven-year review
8. City donation to Washington County Historical Society for capital building campaign
9. Award quote for ash tree removal

10. Award quote for tree replacement due to ash tree removal
11. Award quote for 7th Ave. N. culvert replacement
12. State of Minnesota pay equity report
13. Acknowledgement of Bayport Fire Relief Association SC-21 Form
14. Special event application from Cub/Boy Scout Pack 113 for annual pumpkin and wreath sales on October 9 and November 20, 2021 at Village Green Park

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

PUBLIC HEARINGS

There were no public hearings.

UNFINISHED BUSINESS

1. Consider institution of abatement/condemnation action on 143 3rd St. N. (FKA Greystone Bar): Administrator Bell explained that efforts to work with property owner Brad Smith to remedy the existing vacant building/mitigate deterioration of the property have not progressed since the City Council last discussed the matter on May 3, 2021. At that time, Mr. Smith was directed by the City Council to develop a plan for the property, as continued vacancy and deterioration would not be tolerated by the city long-term. In June, Mr. Smith informed the city that he was obtaining updated quotes to install the required fire suppression to comply with current building/fire codes. However, despite multiple attempts to contact the owner, the city has not heard from or received any proposal or plans to renovate or mitigate the blight to date. City Attorney Loonan explained that because the city's nuisance ordinance is intended to mitigate public health and safety violations as opposed to blight, he feels that the zoning ordinance would provide a more suitable means to pursue enforcement by criminal or civil action. Other options would include allowing the property to remain vacant and assess delinquent vacant building fees accordingly or pursuing condemnation proceedings. Discussion followed on what actions the city has taken to address other similar vacant or blighted residential and commercial properties and the importance of applying those actions consistently. The consensus of the City Council was to arrange for the city's Building Official to complete a complete an interior and exterior inspection of the property to determine the extent of health, safety, building, fire code violations. It was also suggested that the vacant building fee be included in the review of this year's fee schedule to determine whether it is sufficient to cover the city's expenses to monitor and enforce such properties.

2. Consider awarding a bid for the box culvert replacement project: Public Works Director Kline noted that at the July meeting, the City Council approved the plans and specifications for the box culvert replacement project, along with authorization to solicit bids. The city received two bids which were above the original engineering estimate due to additional recommended paving and a higher-than-expected cost of the concrete box culvert structures. Given that the cost of materials and labor is likely to increase year to year, staff believes it would be prudent to proceed with the culvert replacement this year. The project would be funded by Capital Improvement and Street Reconstruction funds.

It was moved by Councilmember Carlson and seconded by Councilmember Dahl to award a bid for the box culvert replacement project to Miller Excavating in the amount of \$95,392, as presented. Motion carried 5-0.

3. Discuss Barker's Alps Park field improvements proposed by St. Croix Preparatory Academy: Administrator Bell summarized City Council discussions with St. Croix Preparatory Academy (SCPA) to date regarding the installation of an upgraded outfield fence at the park. The original proposal was a permanent chain-link fence to replace the existing temporary fence. After attempts to address the concerns shared on the original fence proposal, SCPA then proposed a hybrid fence, which consisted of 2/3 permanent fence, with the remaining 1/3 as a temporary fence, so that it could be removed to accommodate winter sledding or other open space activities. It was noted that the intent was never to enclose the entire field, but rather to better define the boundary of the outfield. Since the last discussion, staff researched alternatives for a temporary fence product and discovered SportaFence, based out of Lake Elmo, MN and manufactured

in California. The total estimated cost of the SportaFence 5' x 10' non-wheeled chain link panels is \$24,305. Due to the increased cost compared to other temporary fence products previously considered, staff noted that this option would require a city contribution of approximately \$12,300 to fund the project. Discussion followed on the benefits an all-temporary fence option would provide to the city, while meeting the objective of SCPA and retaining multi-purpose use of the park/field area. It was noted the panels are easy to install, remove, and store and could be utilized for other community/special events. Additionally, the city received input from Valley Athletic Association (VAA) soccer and baseball leagues who also use this field area and they support the fence proposal. The city's contribution would be funded by the Recreational Capital Equipment fund.

It was moved by Councilmember Gilmore and seconded by Councilmember Hanson to approve an expenditure not to exceed \$13,000 for the purchase and installation of the SportaFence temporary fence panels at Barker's Alps Park, as presented and to formalize a maintenance and use agreement with SCPA for the project. Motion carried 5-0.

NEW BUSINESS

1. Consider an extension of various city policy revisions in response to COVID-19: Administrator Bell noted that the city's Declaration of Emergency for COVID-19 was revoked by the City Council at the July 12, 2021 meeting, due to a decline in the pandemic. However, there was no specific mention of whether the City Council also intended to cease or continue the policy revisions and ordinance waivers that were adopted in conjunction with the declaration. Due to the recent resurgence of the COVID variant, it may be in the best interest of the city to continue various exemptions to assist local businesses, address ongoing challenges related to employment recruitment, and maintain social distancing protocols. Administrator Bell reviewed the proposed exemptions which relate to expanded business service/seating areas and temporary business signage which would remain in effect until January 2022, unless revoked sooner by the City Council.

It was moved by Councilmember Hanson and seconded by Councilmember Gilmore to approve an extension of various city policy revisions in response to COVID-19, as presented. Motion carried 5-0.

CITY COUNCIL LIAISON REPORTS

Councilmember Hanson noted there is a vacancy on the Planning Commission due to the resignation of Tom Triplett. She will be attending the Greater Stillwater Chamber of Commerce Toast and Topics event on September 14 and is busy with the Bayport Community Action League planning for Derby Days on September 17-18.

Councilmember Gilmore reported on the recent Cable Commission meeting, which included discussion on audit results, marketing efforts, partnerships/sponsors, and upcoming projects.

Councilmember Carlson reported on the recent Library Board meeting, which included an update on the building project fundraising campaign, upcoming book sale and youth activities scheduled for Derby Days.

Councilmember Dahl reported on the recent meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). He noted there have been many projects under review by MSCWMO this summer, but nothing really pertaining to Bayport. He reminded residents that MSCWMO permits and regulations apply to many home improvement projects and to plan accordingly.

Mayor St. Ores attended the Lake Elmo Airport Advisory Commission meeting on August 25, which included discussion on a new runway planned for 2022, noise study results, and new stormwater ponds. She also attended a "Dream Flight" event honoring a WWII veteran on August 28.

STAFF/CITY ADMINISTRATOR REPORTS

Public Works Director Kline reviewed recent projects, including preparations for Derby Days, municipal water extension to Hills of Spring Creek in Baytown, 6th St. N./cemetery improvements, and continued Emerald Ash Borer (EAB) efforts.

Administrator Bell summarized the reports from Assistant City Administrator/Planner Taylor, Fire Chief Eisinger, and Police Chief Eastman. He provided an update on the hiring process for the open Office Support Specialist position, due to a recent promotion of Mary Goulette to the position of Accounting Specialist. He also reiterated there is a vacancy on the Planning Commission and access improvements at the Clean Water, Land and Legacy project are underway. Administrator Bell continues to prepare budget materials for discussion at the September 27 special City Council meeting at 5:00 p.m. He also provided an update on the conversion of 4th St. N. to one way traffic near Andersen Elementary to improve pedestrian and vehicle safety, as well as ongoing employee labor negotiations. The results of the recent speed study conducted by SEH are anticipated to be presented at the October 4 City Council meeting.

COUNCIL ITEMS AND ANNOUNCEMENTS

There were no comments.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to adjourn the meeting at 8:41 p.m. Motion carried 5-0.

City Administrator/Clerk