

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 2, 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 Connie Carlson, John Dahl, Ethan Gilmore, and Katie Hill

Staff present: City Administrator Matt Kline, Assistant City Administrator/Planner Sara Taylor, Interim Police Chief Jay Jackson, and City Attorney Eric Larson

APPROVAL OF AGENDA

It was moved by Mayor Hanson and seconded by Councilmember Carlson to approve the agenda. Motion carried 5-0.

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

Mayor Hanson noted the September recycling award recipient is Julie Towle at 240 2nd Street North who will be awarded for recycling efforts with a grant made possible by Washington County.

OPEN FORUM

Cathleen Hess, Community Thread, provided an update on the organization's mission, programs, and services and requested a city contribution of \$3,000 to assist in general operating support for 2024.

Kelly Williams, 383 9th St. N., inquired what the process will be concerning the potential relocation of Andersen Elementary to People's Church Park and shared facilities at Barker's Alps Park.

An advocacy group expressed concern on the water quality at the Stillwater Prison and requested the City Council to assist in advocating for clean water at the facility.

Jessica Johnson, a resident of Stillwater, expressed concern that Andersen Elementary would eventually encroach on Barker's Alps Park if relocated to the People's Church Park.

Dave Farr, 468 9th St. N., inquired about student safety precautions if the school is relocated to People's Church Park and requested the school district provide an alternate location for consideration, to avoid encroachment into Barker's Alps Park.

Alison, Sellman, 257 Primrose Path N., spoke on the overcrowding of Andersen Elementary and read a statement she shared with the City Council via email in support of relocating the school to People's Church Park.

Carey Preuss, 923 2nd Ave. N., agreed that the school needs to be relocated, but does not feel People's Church Park is the right location and is concerned about encroachment into Barker's Alps Park.

Ginny Peulen, 112 7th St. N., read a statement she posted on the "Bayport Neighborhood" social media platform in support of Andersen Elementary relocating to People's Church Park and asking residents to embrace the change. She received over 100 positive reactions and no negative comments to the statement.

CONSENT AGENDA

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 23-17

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-7 FROM THE
OCTOBER 2, 2023 CITY COUNCIL AGENDA**

Consider a resolution adopting items 1 through 7

1. September 11, 2023 City Council workshop minutes
2. September 11, 2023 City Council regular meeting minutes
3. September 25, 2023 City Council workshop minutes
4. September payables and receipts
5. September building, plumbing, mechanical, and zoning permits report
6. Hiring of Daniel Hill, Mike Cornell, and Mitchel Langness to serve on the Fire Department
7. Special event application for a “Sturgeon Excursion” fishing tournament at Lakeside Park on October 7-8, 2023

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

Michele Hanson - aye
Ethan Gilmore - aye

Connie Carlson - aye
Katie Hill - aye

John Dahl - aye

PUBLIC HEARINGS

1. Consider an application submitted by Nile Eckhoff (property owner) and Casey Arellano Gibbs (property manager) for a license to operate a short term rental property at 537 6th St. N.: Administrator Kline summarized the history of the property, which was previously used by Nile Eckhoff as a home occupation for woodworking. The structure has since been remodeled to include a residential dwelling area on the upper level, which is now being proposed as a short term rental (STR). STRs are a permitted use in the R-2 zoning district, provided the property meets the provisions of the STR ordinance, which was adopted by the City Council in 2019. Since adopted, the city has only issued one other STR license and the ordinance provides for the issuance of up to 10 licenses citywide. Staff has completed the required inspections and compliance review for this STR license, which are detailed in the staff report. Notice of the STR application was mailed to all property owners within 350 feet of the subject property on September 18, 2023 and no public comments were received on the application. Discussion followed, with Nile Eckhoff reiterating the historic significance of the property and his excitement to offer it as a STR.

Nick Mancini, 507 6th St. N., voiced his support for use of the property as a STR. He also conveyed remarks from neighbors Megan and Jason Frye, 504 5th St. N., stating their support but concern over the safety of the neighborhood and suggested the City Council require a maximum occupancy of four guests and no off-street parking or use of the adjacent unimproved alley by guests.

Casey Arellano Gibbs, spoke on the safety features of the STR platform Airbnb, stating that they have the ability to check records, request identification, and cancel requests if any suspicions arise.

It was moved by Councilmember Carlson and seconded by Councilmember Hill to approve a license to operate a short term rental property at 537 6th St. N., subject to conditions of approval, including a maximum occupancy of four guests, no off-street parking or use of the adjacent unimproved alley, and no use of the detached “sauna house” structure with accessory bedroom as sleeping quarters for STR guests. Motion carried 5-0.

2022 AUDIT PRESENTATION

Administrator Kline introduced Molly Thompson with Schlenner Wenner, the city’s auditing firm. An overview of the audit process was provided, noting the city received an unmodified (clean) audit opinion. Ms. Thompson stated that the audit involves examination of internal controls relative to financial reporting and that compliance was identified. A summary of the budgeted versus actual expenditures was provided, in addition to a revenue analysis of the general, water, and sewer funds. It was noted that overall, the city is in good financial standing and despite the usual issues that are common for cities of similar size, no issues were found.

It was moved by Councilmember Hill and seconded by Councilmember Carlson to accept the 2022 audit, as presented. Motion carried 5-0.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

CITY COUNCIL LIAISON REPORTS

Mayor Hanson attended various events, including Derby Days, a meet and greet at Croixdale, Bayport Bash at First State Bank, and a planning meeting with Afton Bayport Lions Club to coordinate Halloween activities with the Police Department. She participated in an event at Croixdale to raise money for Alzheimer's and attended the Xcel King Plant's stakeholders meeting.

STAFF/CITY ADMINISTRATOR REPORTS

Interim Chief Jackson reported on call volume, staff training, and the department's participation in past/upcoming events. He spoke on the recent lockdown at Stillwater Prison, and the upcoming Halloween event, which will include food, candy, and glow stick giveaways.

Administrator Kline reported on call volume for the Fire Department and acknowledged their 135th anniversary. He reported the centennial pavilion will be ready for the Lighting of the Green event in December. He noted that the City Council held a workshop on September 25 where a new proposal for the relocation of Andersen Elementary was presented for consideration. The proposal includes sale of the 10 acres owned by People's Congregational Church (adjacent to Barker's Alps Park) to the school district for a new elementary school, with some shared facilities (parking, outdoor recreation/education) at Barker's Alps Park. Staff is working with the school district to draft a letter of intent which outlines the components of shared infrastructure/use on park property, which would include the city retaining ownership of all Barker's Alps Park. The letter of intent will specify that school district is responsible for constructing and maintaining an expanded parking lot and define public use of parking during school hours (it is anticipated that five or more stalls will be designated for public park use only). It will also include an option for a new playground on park property (for use by the public and school) and stipulate that all park trails will be open to the public during school hours. Upon receipt of the letter of intent, it is anticipated that the City Council will convene to discuss next steps.

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 8:07 p.m. Motion carried 5-0.

City Administrator/Clerk