

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
NOVEMBER 1, 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 November 1, 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, and Connie Carlson

Members absent: Councilmember John Dahl

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

APPROVAL OF AGENDA

It was moved by Councilmember Carlson and seconded by Councilmember Gilmore to approve the City Council agenda. Motion carried 4-0.

PROCLAMATIONS, COMMENDATIONS, PETITIONS, ANNOUNCEMENTS

Mayor St. Ores noted the October recycling award recipient is Brad Hayes at 942 Inspiration Parkway South who will be awarded for recycling efforts, with funding made possible with a grant from Washington County.

Mayor St. Ores announced the Stillwater Area School District will hold a special election on Tuesday, November 2. All Bayport residents vote at the Bayport Fire Department on 5th Ave. N. and polls will be open 7 a.m. to 8 p.m.

OPEN FORUM

There were no public comments.

CONSENT AGENDA

Administrator Bell summarized a correction to the October 4, 2021 minutes requested by Councilmember Hanson. The minutes will be revised to reflect details on a recent presentation given by Angie Hong, East Metro Water Resource Education Program, which was discussed under City Council Liaison Reports on the agenda. Mayor St. Ores read items 1-7 on the Consent Agenda.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 21-28

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-7 FROM THE
NOVEMBER 1, 2021 CITY COUNCIL AGENDA**

1. October 4, 2021 City Council regular meeting minutes
2. October payables and receipts
3. October building, plumbing, mechanical, and zoning permits report
4. Hiring of Cheryl Gruhlke as a part-time Office Support Specialist
5. Reappointment of Elizabeth Kelly and Orin Kipp to 3-year term on the Planning Commission
6. Appointment of Erin Crowder to fill vacancy on the Library Board for a term to expire December 31, 2023

7. Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension for use of criminal justice data communications network (*Resolution 21-28A*)

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
Michele Hanson -aye

Connie Carlson- aye

Ethan Gilmore - aye

PUBLIC HEARINGS

1. Certification of past due waste collection bills and unpaid service charges to property taxes: Administrator Bell noted that fees are past due for various properties for waste collection and vacant building registration. As a result, the city is recommending these fees be certified to Washington County for collection with property taxes, including a penalty charge of 10 (%) to reimburse the city for administrative expenses resulting from the delinquency. Property owners who have past due charges must be afforded due process prior to certification and the purpose of the public hearing is to hear from anyone contesting the charges. In compliance with statutory requirements and city code, all delinquent property owners were notified of the public hearing. It was also noted that the waste haulers and city made numerous attempts to contact property owners prior to tonight's meeting to settle delinquent accounts. Those accounts listed on the roll remain unpaid. Mayor St. Ores opened the public hearing and no comments were heard.

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

Discussion followed on a specific property that is disputing waste charges and the process for contesting the fees. City Attorney Loonan legal opinion was for the city to proceed with the certifications, as presented.

It was moved by Councilmember Gilmore and seconded by Councilmember Carlson to approve the certification of past due waste collection bills and unto property taxes. Motion carried 4-0.

UNFINISHED BUSINESS

1. Consider accepting plans and specifications to upgrade the Inspiration booster station and authorization to proceed with bidding the project: Public Works Director Kline noted that SEH has completed the plans and specifications for upgrades to the booster station, which are necessary to increase pumping capability to keep up with summer irrigation demand in the upper water zone of the city water system. He reviewed specific components of the upgrades which are estimated at \$330,000. Completion of this work is recommended to occur prior to May 1 or after October 1, due to down time required for installation of some of the components. At this time, staff is seeking approval of plans and specifications and authorization to bid the project. Once received, staff will present bids to the City Council with a recommendation.

It was moved by Councilmember Carlson and seconded by Councilmember Gilmore to approve the plans and specifications to upgrade the Inspiration booster station and authorize proceeding with bidding the project. Motion carried 4-0.

NEW BUSINESS

1. Consider authorization to publish resolutions to revest the city with title to apparent abandoned plots in Hazelwood Cemetery: Public Works Director Kline noted that several gravesites exist in the cemetery, which were purchased in the 1800's and have not been used for burial purposes. Minnesota Statutes Section 306.242 authorizes a cemetery association incorporated in Minnesota to revest itself with title to gravesites that were conveyed by deed to a person, but have not been used for burial purposes for more than 60 years, if certain procedures are followed. The attached resolutions detail the process the city must follow to regain title to these apparent abandoned plots, including a search of any known relatives, city and county records, and a public notification in the city's official newspaper, Stillwater Gazette. It should be noted that in 2012, the city successfully revested several other abandoned gravesites in the cemetery, which have since been resold and used for recent burials. Following the due diligence process, the City

Council will be asked to formally approve the revesting at a future meeting.

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 21-29

A RESOLUTION REVESTING THE CITY OF BAYPORT WITH TITLE TO CERTAIN PLOTS IN HAZELWOOD CEMETERY OWNED BY F.G. BROWN

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
Michele Hanson -aye

Connie Carlson- aye

Ethan Gilmore - aye

Councilmember Hanson introduced the following resolution and moved its adoption:

Resolution 21-30

A RESOLUTION REVESTING THE CITY OF BAYPORT WITH TITLE TO CERTAIN PLOTS IN HAZELWOOD CEMETERY OWNED BY JOHN EHRIG

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
Michele Hanson -aye

Connie Carlson- aye

Ethan Gilmore - aye

2. Consider a labor agreement with the Minnesota Teamsters Public and Law Enforcement Employees' Union Local #320 for January 1, 2022 – December 31, 2024 (Police Officers): Administrator Bell reviewed proposed revisions to the contract, noting the changes do not result in significant financial impacts to the city, but any increased expenses were included in the 2022 Preliminary Budget. Policy revisions relate to field officer training, overtime, floating holidays, clothing allowance, fitness and education incentives, shift differential, and a cost of living wage increase of 3%.

It was moved by Carlson and seconded by Hanson to approve a labor agreement with the Minnesota Teamsters Public and Law Enforcement Employees' Union Local #320 for January 1, 2022 – December 31, 2024 for Police Officers. Motion carried 4-0.

3. Consider a labor agreement with the Minnesota Teamsters Public and Law Enforcement Employees' Union Local #320 for January 1, 2022 – December 31, 2024 (Public Works): Administrator Bell reviewed proposed revisions to the contract, again noting the changes do not result in significant financial impacts to the city, but any increased expenses were included in the 2022 Preliminary Budget. Policy revisions relate to overtime, on-call compensatory time, personal protective equipment and uniforms, observed holidays, severance, and a cost of living wage increase of 3%.

It was moved by Hanson and seconded by Gilmore to approve a labor agreement with the Minnesota Teamsters Public and Law Enforcement Employees' Union Local #320 for January 1, 2022 – December 31, 2024 for Public Works. Motion carried 4-0.

CITY COUNCIL LIAISON REPORTS

Councilmember Carlson reported on the October 29 Library Board meeting and the facilities advisory committee meeting for the proposed library remodel project. Erin Crowder has been appointed to fill a vacancy on the Library Board, but there will be another vacancy as of January 1. Fundraising efforts continue to be successful for the library remodel project.

Councilmember Hanson reported on the library's facilities advisory committee, noting she attended the recent meeting in Councilmember Carlson's absence and has been asked to continue participating as a resident at large. She attended the ribbon cutting for the Washington County Historical Society's Heritage Center and encouraged all to visit the new building.

Mayor St. Ores also attended the ribbon cutting for the Washington County Historical Society's Heritage Center, as well as a recent Fire Relief Association meeting and Fire Department Open House event. She complimented the Fire Department on upkeep and maintenance of the new building, which remains in excellent condition.

STAFF/CITY ADMINISTRATOR REPORTS

Public Works Director Kline reviewed recent projects, including mulching leaves, street sweeping, and winterizing park equipment/facilities. Emerald Ash Borer (EAB) tree removal and planting efforts continue, as well as the 6th St. N./cemetery improvement project. The 7th Ave. N. culvert replacement project is also underway and temporary public access and parking to the Clean Water, Land and Legacy parcel is complete.

Administrator Bell summarized the Fire and Police Department reports, noting year to date call volumes, training, and recent and upcoming events. He also summarized Assistant Administrator/Planner's report, welcoming new part-time Office Support employee Cheryl Gruhlke, noting a vacancy on the Planning Commission, and that a school district special election will be held on November 2. Administrator Bell announced that new 20 MPH speed limit signs will be installed in the coming week and the 7-year review of the fire service contract has been scheduled for November 10. He also summarized a recent meeting of the Inspiration Stewardship Foundation, noting all entities recognize an opportunity to modify and improve the current structure of the foundation and related duties, which will be discussed further at an upcoming meeting.

COUNCIL ITEMS AND ANNOUNCEMENTS

Councilmember Carlson thanked the Fire Department for their visit to Pony Preschool for Fire Prevention week and also thanked the Police Department for their presence in Bayport neighborhoods on Halloween. Mayor St. Ores reminded everyone to attend the Holiday at the Village Green event on December 1 at 6:30 p.m.

ADJOURNMENT

It was moved by Councilmember Hanson and seconded by Councilmember Gilmore to adjourn the meeting at 7:27 p.m. Motion carried 4-0.

City Administrator/Clerk