

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER
AUGUST 4, 2008
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of August 4, 2008 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Jon Nowaczek, Councilmembers Connie Carlson, Dan Johnson, Torry Kraftson and Sharon Ridgway

Members Absent: None

Others Present: Administrator Mike McGuire, Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Engineer Barry Peters, Assistant Administrator/Planner Sara Taylor, Attorney Nick Vivian

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. Mayor Nowaczek announced that the July recycling award went to Dick Beberg.
2. Mayor Nowaczek read a proclamation declaring Tuesday, August 5, 2008, as National Night Out in the City of Bayport. The Bayport Police Department will be hosting the annual city-wide event at Lakeside Park beginning at 6:00 p.m.

OPEN FORUM - None

CONSENT AGENDA

Mayor Nowaczek read items 1-10 on the consent agenda.

Councilmember Ridgway requested that item #5 regarding replacement of the teeter-totter in Lakeside Park be moved to New Business.

Councilmember Ridgway made a motion to move consent agenda item #5, *Replacement of teeter-totter in Lakeside Park*, to New Business, introduced the following renumbered resolution and moved its adoption:

Resolution 08-12

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-9 FROM THE
AUGUST 4, 2008 CITY COUNCIL AGENDA**

1. July 7, 2008 City Council regular meeting minutes
2. July payables and receipts
3. July building, plumbing and mechanical permits
4. Bayport Marina temporary liquor license August 9, 2008
5. Bethlehem Lutheran Church Fall Festival at Village Green Park
6. Bayport Marina temporary liquor license September 2-4, 2008
7. Sale of Public Works Department 1988 Ford plow truck
8. Hiring of Fire Department personnel
9. People's Church Community Carnival at Perro Park

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

Jon Nowaczek – aye	Torry Kraftson – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the Cable Commission’s next meeting is scheduled for Wednesday, August 20, 2008, 7:00 p.m., at the cable studio located in the Valley Ridge Mall in Stillwater.

Councilmember Kraftson reported on the July 10th meeting of the Middle St. Croix Watershed Management Organization (MSCWMO). The MSCWMO will be following up with cities regarding submission of their surface water management plans and suggested that staff contact the MSCWMO regarding the status of Bayport’s plan. Councilmember Kraftson will report on the Perro Creek storm sewer project during discussion of this New Business agenda item later in the meeting. The next meeting is scheduled for Thursday, August 14, 2008, 7:00 p.m., at the Washington Conservation District office located in the Valley Ridge Mall.

Councilmember Johnson reported the library board did not meet in July, and the next meeting is scheduled for Thursday, August 28, 2008, 6:00 p.m., at the library.

Councilmember Carlson reported the next meeting of the Lower St. Croix Partnership is scheduled for Wednesday, September 17, 2008, 7:00 p.m., at the St. Croix County Government Center.

UNFINISHED BUSINESS

Consider a change in design for the public utility extension to St. Croix Preparatory Academy in Baytown Township: Engineer Peters reviewed the action taken at the February 4, 2008 City Council meeting to extend city water and sanitary sewer service to the St. Croix Preparatory Academy site in Baytown Township. At that time, only one option for water service to the site was explored, and ultimately approved, at the February meeting. The school has now requested that the trunk water main improvement be scaled back to minimize costs. Staff reviewed the proposed changes and recommended that the school be allowed to construct a smaller trunk improvement at this time, provided they approve an agreement outlining their financial responsibilities in the future. Engineer Peters stated that the fire marshal is satisfied with the proposed fire hydrant locations. Attorney Vivian reviewed a draft agreement between the city and St. Croix Preparatory Academy for construction and assessment of water main improvements. Discussion followed on placement options for the 12-inch trunk water main along Stagecoach Trail (east or west side), and it was recommended to make the installation language more generic to cover both possibilities. Engineer Peters explained that the water mains would be public, and the intent is for the city to have an easement from the school for maintenance purposes. Attorney Vivian stated the city would pursue securities from the school to ensure the proper easements are obtained.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to approve the draft agreement for construction and assessment of water main improvements between the City of Bayport and St. Croix Preparatory Academy, subject to final approval by the city attorney. Motion carried.

NEW BUSINESS

Consider an agreement for professional services between the City of Bayport, on behalf of the MSCWMO, and SEH for Phase 3 Perro Creek Outlet Storm Sewer Project: David Beaudet, Chairperson for the Middle St. Croix Watershed Management Organization (MSCWMO), explained that the contract being considered is an amendment to the original Agreement for Professional Services between the City of Bayport, on behalf of the MSCWMO, and SEH, dated September 2, 1998, for the State of Minnesota Storm Sewer Project. Funding from the State of Minnesota for the third and final stage of this project to mitigate flooding in portions of Perro Creek Survey has been approved, and this agreement with SEH is needed to develop the construction/bidding documents and get the necessary easements. Mr. Beaudet stated approximately \$2.75 million is available, and he is confident the project can be completed with this funding. Councilmember Kraftson stated there was discussion at the last MSCWMO meeting regarding the appropriateness of approving the agreement with SEH without first seeking proposals from other firms. He believes there should be a competitive bidding process for this public project and is not in favor of approving the agreement. Mr. Beaudet stated the general consensus of MSCWMO representatives was that it would be unlikely to receive a better bid from another firm because of the substantial amount of preliminary work already done by SEH. Additionally, the bid process would cause a considerable delay in getting the project completed, and Mr. Beaudet believes SEH has proposed a reasonable price. Attorney Vivian clarified that the MSCWMO is subject to public bidding requirements; however, since this is a services contract, it is not required to be put out to bid.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to approve the signing by the City of Bayport of the letter dated June 19, 2008, addressed to Mr. David Beaudet, regarding supplementing the agreement for professional services between the City of Bayport, on behalf of the Middle St. Croix Watershed Management Organization, and Short Elliott Hendrickson, Inc. (SEH), dated September 2, 1998. Motion carried 4-1, with Councilmember Kraftson voting nay.

Consider quotes for extending parking area on north side of Lakeside Park: Public Works Supervisor Mel Horak reviewed a request to provide additional parking at the north end of Lakeside Park, on the south side of Central Avenue. Staff believes it is an opportune time for this project, given the other park improvement projects currently in progress. Two favorable quotes were received for the project and staff recommends that the project be awarded to the low bidder, A.C.T. Specialties, Shoreview, Minnesota. Mr. Horak indicated it is staff's intent to save the healthy, mature trees in the project area. It is anticipated that approximately 9 parking spaces would be realized with this additional parking area.

It was moved by Councilmember Ridgway and seconded by Councilmember Carlson to award the project to increase parking on the north end of Lakeside Park to the low bidder, A.C.T. Specialties, Shoreview, Minnesota, for the approximate cost of \$5,015.00.

Mayor Nowaczek proposed using these funds for improvements at Barker's Alps Park, rather than Lakeside Park, and indicated a desire to use the available money wisely. Discussion followed on the need for the additional parking and the possibility of providing dedicated loading/unloading parking spaces near the shelters on the north side of the park. If the paving project is approved, staff plans on completing the project as soon as possible.

Motion carried.

Replacement of teeter-totter at Lakeside Park: Councilmember Ridgway would like city staff to look into the purchase of a new type of teeter-totter that is spring loaded and allows one person to use the equipment, without weight distribution concerns. Public Works Supervisor Horak stated the equipment quoted by St. Croix Recreation has the spring-type action; however from a long-term maintenance

standpoint and due to potential safety concerns with the springs, he recommended the conventional, pivot-style equipment quoted by Earl F. Anderson Company. Staff recommended continuing this topic to the next meeting, to provide councilmembers with more information on the different styles of equipment available.

COUNCIL ITEMS/ANNOUNCEMENTS

1. Councilmember Carlson announced the Bayport American Legion has an aluminum can recycling container behind their building and would appreciate residents dropping off their aluminum cans.
2. Councilmember Carlson stated that on Tuesday, August 26th at 10:30 a.m., the Bayport Senior Center is sponsoring a “Bam!” cooking class, followed by lunch at 11:30 a.m. Registration is required.
3. Councilmembers Ridgway and Carlson stated they have received inquiries on establishing a farmer’s market in Bayport and requested input on how residents could move forward with the idea. Administrator McGuire indicated residents should contact City Hall.
4. Mayor Nowaczek encouraged residents to participate in the National Night Out event tomorrow evening at Lakeside Park.

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Review of summer business hours for City Hall: Administrator McGuire reviewed a memo that was handed out on this topic. He is proposing that the business hours approved for the summer, 7:30 a.m.-5:00 p.m. Monday-Thursday, and 7:30 a.m.-11:30 a.m. on Friday, be extended through October 31, 2008. He stated other work hours are being considered, e.g., a 4-day work week, to reduce utility and commuting costs, and he will provide an approximate energy cost savings for this option. He urged residents to contact him with feedback. Staff will report back at the October City Council meeting.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to extend the summer business hours for City Hall through October 31, 2008, and direct staff to look into options for possible cost savings in relation to business hours, for discussion at the October 6, 2008 meeting. Motion carried.

2. Preliminary update of 2009 budget: The preliminary budget will be presented at the September 8, 2008 meeting, as required by state law. Administrator McGuire stated preliminary budget figures show a 1.5% increase in overall expenses, mostly for labor and energy costs, with a levy increase of approximately 3.9%. He noted that Bayport’s local government aid was increased by 3.9%, approximately \$20,000.00, and that only a few cities received an increase. The budget does not figure in use of the tax stabilization fund, and it does incorporate a savings plan for future major maintenance issues with city buildings (Fire Hall, City Hall, Library, and Public Works building).
3. Closed session to discuss pending litigation: It was moved by Councilmember Carlson and seconded by Councilmember Johnson to adjourn to closed session at 7:00 p.m.

It was moved by Councilmember Carlson and seconded by Councilmember Ridgway to resume the regular meeting of the August 4, 2008 Bayport City Council meeting at 7:33 p.m. Motion carried.

ADJOURNMENT

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to adjourn the meeting at 7:34 p.m. Motion carried.