

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JULY 2, 2007  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of July 2, 2007 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 Dan Johnson, Torry Kraftson, and Sharon Ridgway

Members Absent: Councilmember Carlson

Others Present: Administrator Mike McGuire, Interim Police Chief Laura Eastman, Engineer Barry Peterson, Assistant City Administrator Sara Taylor, and Attorney Nick Vivian

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. The recycling award for June went to Robert Mordick.
2. The Bayport Police Department will be hosting a National Night Out event at Lakeside Park on Tuesday, August 7, 2007, beginning at 6:00 p.m.

**OPEN FORUM**

1. Chris Nass, 4703 Stagecoach Trail, Stillwater, Minnesota, voiced concern regarding notification he received from the Middle St. Croix Watershed Management Organization (MSCWMO) stating he has 60 days to install a new culvert under his driveway, adjacent to the Inspiration development. He believes a down-stream engineering study is necessary to rectify the water runoff problems in the area. Administrator McGuire reviewed a recent meeting called by the MSCWMO, related to this issue.

**CONSENT AGENDA**

Mayor Nowaczek read items 1-8 on the consent agenda.

Councilmember Johnson introduced the following resolution and moved its adoption:

**Resolution 07-16**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING  
CONSENT AGENDA ITEMS 1-8 FROM THE JULY 2, 2007 CITY COUNCIL AGENDA**

1. June 4, 2007 City Council regular meeting minutes
2. June 18, 2007 City Council workshop meeting minutes
3. June payables and receipts
4. June building, plumbing and mechanical permits
5. Special event application for Stillwater Correctional Facility
6. Special event application for Andersen Corporation
7. PERA declaration for part-time police officer Zachary Lund (*Res. 07-17*)
8. Grant application submittal to Metropolitan Council comprehensive plan funding (*Res. 07-18*)

The motion for adopting the foregoing resolution was duly seconded by Councilmember Ridgway and upon roll call being taken, the following voted via voice:

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

## **PUBLIC HEARINGS** – None

## **COUNCIL LIAISON REPORTS**

Councilmember Ridgway reported the Cable Commission’s June meeting was cancelled and staff is coordinating the date of the next meeting.

Councilmember Kraftson reported the Middle St. Croix Watershed Management Organization (MSCWMO) is working on drafting model ordinances for communities to adopt dealing with erosion/ stormwater control to help bring cities into compliance with MSCWMO regulations. He emphasized that current regulations require that any addition of impervious surface in the city, via a variance, grading or building permit, require some type of stormwater treatment, e.g., rain garden. Many communities have been unaware of this requirement, and the MSCWMO is making an effort to educate cities regarding this runoff standard. Staff was directed to look into how the regulation would impact the city.

Councilmember Johnson had no report on the Bayport Public Library Foundation Board; however, it was noted another strategic planning meeting is scheduled for July 9, 2007.

## **UNFINISHED BUSINESS** – None

## **NEW BUSINESS**

Appointment of a citizen representative for the Advisory Committee to the Middle St. Croix Watershed Management Organization (MSCWMO): Staff recommended that Joel Peterson, 432 4<sup>th</sup> Street North, be appointed as Bayport’s citizen representative for the Advisory Committee to the MSCWMO. Mr. Peterson was thanked for his willingness to serve in this capacity.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to appoint Joel Peterson to serve as Bayport’s citizen representative for the Advisory Committee to the Middle St. Croix Watershed Management Organization. Motion carried.

Consider awarding bid for Lakeside Park playground equipment: Administrator McGuire reviewed the bids received for the playground equipment and installation project at Lakeside Park. Flanagan Sales, Inc., representing Little Tikes play equipment, was the low bidder at \$58,963.00. A discrepancy with the bid from Minnesota/Wisconsin Playground was discussed. Architect Larry Wacker reviewed the equipment/materials that will be installed, noting the existing swing structure and spring animals will be retained. Unsafe equipment, as identified by the League of Minnesota Cities, will be removed as part of the project. A sample of the wood fiber surface material was provided. The wood fiber surface and safety surface will be installed by Bayport Public Works staff. Earth tone colors (green, tan, brown) were selected for the playground equipment, to blend with the surrounding area. A playground feature, in the shape of a boat, was discussed and deemed too expensive at this point. Encouraging creative play with simple equipment was discussed for future phases of park rehabilitation.

It was moved by Councilmember Kraftson and seconded by Councilmember Johnson to award the bid for the Lakeside Park Play Equipment and Installation project to Flanagan Sales, Inc., St. Paul, Minnesota, in the amount of \$58,963.00. Motion carried.

Review City Council workshop held June 18, 2007, discuss the hiring process for a police chief, appointing of full-time police chief, and appointing of full-time police officer: Administrator McGuire reviewed the City Council workshop discussion. The consensus was to look internally for a new police chief, and Administrator McGuire recommended appointing Interim Chief Eastman as Police Chief. A contract/letter of understanding would be brought back to the next meeting for approval. He further recommended that Dave Wynia be appointed to a full-time police officer position, with both appointments effective immediately. All full-time police officers were interviewed for their interest in seeking the chief position, and Interim Chief Eastman was the only officer interested in the position. Councilmembers voiced their support of Interim Chief Eastman to assume the duties of Police Chief.

It was moved by Councilmember Ridgway and seconded by Councilmember Kraftson to appoint Officer Dave Wynia as a permanent full-time police officer and Interim Police Chief Laura Eastman as Police Chief for the City of Bayport. Motion carried.

Consider authorization to complete a feasibility study for sidewalk improvements: Engineer Peters reviewed the request to complete a feasibility report for 2007 sidewalk improvements, in accordance with Minnesota Statutes 429. He recommended authorization of the feasibility report and that a public improvement hearing for the project be scheduled for the August 6, 2007 City Council meeting.

It was moved by Councilmember Johnson and seconded by Councilmember Ridgway to authorize the City Engineer to prepare a feasibility report for the 2007 sidewalk improvement project and set August 6, 2007 as the public improvement hearing date for the project. Motion carried.

Update on bathhouse improvements at Lakeside Park: Administrator McGuire reported that after the bid was awarded for the project, the DNR stated that the project must comply with the 50% improvement rule for structures in a floodplain. The cost of improvements to the structure beyond normal maintenance cannot exceed 50% of the market value, without having to bring the structure into compliance with current ordinances and regulations. An appraisal on the property was completed by R. W. Kirchner Appraisals, with an appraised value of \$292,000.00. Using the state building code square foot guidelines, it was determined that the improvements to the building would be \$120,000.00, which meets the DNR requirement. Administrator McGuire indicated the city enforces the 50% rule and written approval is not needed from the DNR to proceed. The project may not be completed by the September 1, 2007 deadline, due to the delay in resolving the DNR issue.

With favorable bids for the project, staff explored upgrades to the interior floor and wall finishes in the main seating area (approximately 800 square feet). Architect Mark Lenz reviewed colored concrete options, stating a green finish would cost \$4,084.59 and a red finish \$2,792.47. Upgrading the walls with a three coat stucco finish would cost \$7,687.73. Of the two upgrades, Mr. Lenz recommended the stucco finish for the walls as the most beneficial to the project, if cost was a consideration. Discussion followed on the color of the concrete floor, with red recommended as the most natural color long-term.

It was moved by Councilmember Johnson and seconded by Councilmember Ridgway to approve a change order for the bathhouse improvements in the main seating area to include a stucco finish for the interior walls and a colored concrete floor, with staff directed to determine to colors for the upgrades. Motion carried.

Architect Lenz reviewed the exterior finishes for the bathhouse, noting a color selection for the siding was needed. Discussion followed on having the building blend in with the natural surroundings. Councilmembers recommended Option A, beige/taupe, for the exterior siding.

**COUNCIL ITEMS/ANNOUNCEMENTS - None**

**ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS**

1. Update on auditor RFP: Three audit firms will be interviewed by city staff on July 11<sup>th</sup>, with a recommendation expected for consideration at the August meeting.
2. Capital Improvement Plan (CIP)/budget workshop scheduled for Monday, July 16<sup>th</sup> at 4:00 p.m.: Administrator McGuire reminded Councilmembers of the workshop, indicating the budget materials would be in a relatively early stage.

**ADJOURNMENT**

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to adjourn the meeting at 7:25 p.m. Motion carried.