

**CITY OF BAYPORT  
CITY COUNCIL MEETING  
Council Chambers, 294 North 3<sup>rd</sup> Street  
February 7, 2011**

**REGULAR MEETING**

**6:00 P.M.**

**CALL TO ORDER**

**ROLL CALL (Mayor St. Ores and City Councilmembers Carlson, Hanson, Ostertag and Seeberger)**

**APPROVAL OF AGENDA**

**PROCLAMATIONS, COMMENDATIONS, PETITIONS, AND ANNOUNCEMENTS**

1. The January recycling award recipient is Ken Kaiser who will receive \$30.00 for his recycling efforts, with funding made possible by a grant from Washington County.
- 2.

**OPEN FORUM**

The open forum is a portion of the meeting to address the City Council on subjects that are not part of the meeting agenda. The City Council may take action or reply at the time of the statement or may give direction to staff regarding investigation of the concerns expressed. *A total of 15 minutes is allotted for the public comment period (not 15 minutes per person).*

- 1.
- 2.

**CONSENT AGENDA**

**TAB #**

**Consider a resolution adopting items 1 through 8**

- |  |   |
|--|---|
| 1. January 3, 2011 City Council workshop meeting minutes                 | 1 |
| 2. January 3, 2011 City Council regular meeting minutes                  | 2 |
| 3. January payables and receipts   | 3 |
| 4. January building, plumbing and mechanical permit report               | 4 |
| 5. Joint powers agreement with Washington County for state fuel contract | 5 |
| 6. City liability insurance waiver                                       | 6 |
| 7. Approval of BCAL skating party at Perro Park on February 18, 2011     | 7 |
| 8. Renewal of boat trailer parking agreement with Andersen Corporation   | 8 |

**RIVERFRONT ADVISORY COMMISSION REPORT**

**9**

**COUNCIL LIAISON REPORTS**

**PUBLIC HEARINGS**

**TAB #**

**UNFINISHED BUSINESS**

- |   |    |
|---|----|
| 1. Water Service Lateral and Connection Improvement Project for 338 5 <sup>th</sup> Street North and 354 5 <sup>th</sup> Street North | 10 |
| a. Declare the cost to be assessed and order the preparation of the proposed assessments for the project (Resolution)                 |    |
| b. Call for a public hearing on the proposed assessments for the project (Resolution)   |    |

**NEW BUSINESS**

- |  |    |
|--|----|
| 1. Consider a request to amend Conditional Use Permit 83-5C to specify permitted uses at 101 5 <sup>th</sup> Avenue South, Bayport, Minnesota (Resolution) | 11 |
| 2. Consider accepting the dedication of public right-of-way and a private property line adjustment along 6 <sup>th</sup> Street North (Resolution)         | 12 |
| 3. Consider adopting a PERA leave certification program for non-union, full-time city employees for 2010 (Resolution)                                      | 13 |
| 4. Consider adoption of a city snow plowing and ice control policy   | 14 |
| 5. Consider the carryover of expenditures from 2010 to 2011 for the city building electrical lighting retrofit project                                     | 15 |

**COUNCIL ITEMS AND ANNOUNCEMENTS**

**CITY ADMINISTRATOR ITEMS AND ANNOUNCEMENTS**

- |                              |    |
|------------------------------|----|
| 1. City Administrator update | 16 |
|------------------------------|----|

**ADJOURNMENT**

**RESOLUTION NO. 11-**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF  
BAYPORT, WASHINGTON COUNTY, MINNESOTA HELD  
FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on the 7<sup>th</sup> day of February 2011, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-8 FROM THE  
FEBRUARY 7, 2011 CITY COUNCIL AGENDA**

1. January 3, 2011 City Council workshop meeting minutes
2. January 3, 2011 City Council regular meeting minutes
3. January payables and receipts
4. January building, plumbing and mechanical permit report
5. Joint powers agreement with Washington County for state fuel contract
6. City liability insurance waiver
7. Approval of BCAL skating party at Perro Park on February 18, 2011
8. Renewal of boat trailer parking agreement with Andersen Corporation

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

Susan St. Ores –	Mark Ostertag –
Connie Carlson –	Judy Seeberger –
Michele Hanson –	

WHEREUPON, said Resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7<sup>th</sup> day of February 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor

**CITY OF BAYPORT  
JOINT CITY COUNCIL AND PLANNING COMMISSION  
WORKSHOP MEETING MINUTES  
COUNCIL CHAMBERS**

**January 3, 2011**

**5:00 P.M.**

**CALL TO ORDER**

The meeting was called to order at 5:00 p.m.

**ROLL CALL**

Members Present: Mayor St. Ores, Councilmembers Carlson, Seeberger, Hanson, and Ostertag  
Planning Commissioners Goldston, Hoye, Levy, Ritzer, and Gilles

Staff Present: Administrator Berg, Assistant Administrator/City Planner Taylor and Attorney  
Vivian

**ZONING AND LAND USE REGULATION UPDATE**

Administrator Berg, Assistant Administrator/City Planner Taylor, and Attorney Vivian reviewed various topics related to zoning and land use, including the purpose of zoning, the city's Comprehensive Plan, the city's zoning ordinance and map, the planning and zoning application process, variances, conditional use permits, the 60-day rule, and other legal issues related to zoning. Attorney Vivian specifically discussed the city's authority in granting variances, as a recent Supreme Court ruling now holds cities to a much stricter standard. The presentation was followed by questions and brief discussion.

**ADJOURNMENT**

It was moved and seconded to adjourn the workshop at 5:50 p.m. Motion carried.

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
JANUARY 3, 2011  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor-elect St. Ores called the regular City Council meeting of January 3, 2011 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

**SWEARING IN OF MAYOR SUSAN ST. ORES**

Administrator Berg issued the Oath of Office to Mayor Susan St. Ores.

**SWEARING IN OF COUNCILMEMBER MARK OSTERTAG**

Mayor St. Ores issued the Oath of Office to Councilmember Mark Ostertag. Councilmember Ostertag indicated he would not be taking a salary in light of the city's budget shortfall.

**ROLL CALL**

Members Present: Mayor Susan St. Ores, Councilmembers Connie Carlson, Michele Hanson, Mark Ostertag and Judy Seeberger

Members Absent: None

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

**APPROVAL OF AGENDA**

Administrator Berg requested that the closed session item, *Pursuant to Minnesota Statute Chapter 13D to consider labor negotiation strategies*, be removed from tonight's agenda because the labor negotiations are still ongoing. He hopes to provide an update on the union contracts at the next meeting.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to approve the January 3, 2011 City Council agenda, removing the closed session item. Motion carried 5-0.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. The December recycling award recipient is Roger Zoldan.
2. Bayport Police Officer Quinn Willmarth, with assistance from the Bayport Reserve Officers, was recognized for coordinating this year's Toys for Tots drive. Residents and business owners were also thanked for their participation.
3. Police Chief Eastman shared a video of an incident in which Officer Justin Wilmes, being trained by Officer Jay Jackson, reacted quickly when a vehicle lost control in icy conditions and slid toward Officer Wilmes and another driver, whom the officers were assisting. Police Chief Eastman presented Officer Wilmes with a Lifesaving Award for his responsiveness in removing the woman from the path of the oncoming vehicle and potentially saving her life.

**OPEN FORUM** – None

**CONSENT AGENDA**

Mayor St. Ores read items 1-10 on the consent agenda.

1. December 6, 2010 City Council regular meeting minutes
2. December payables and receipts
3. December building, plumbing and mechanical permit report
4. PERA declaration for part-time police officer Justin Wilmes (*Resolution 11-01A*)
5. Ordinance summary of Chapter 18 – Buildings and building regulations, Article 3 - Vacant buildings, for publication
6. Consider renewal of safety consulting and training services for city employees
7. Approve \$50.00 donations to Fire and Police Departments from Jeff and Donna Todd
8. Adoption of Part II of the city's Wellhead Protection Plan
9. Central St. Croix Valley Joint Cable Commission and Valley Access Channels budget for 2011
10. Fire protection and rescue service contracts

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 11-01**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
APPROVING CONSENT AGENDA ITEMS 1-10 FROM THE  
JANUARY 3, 2011 CITY COUNCIL AGENDA**

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

Susan St. Ores – aye	Mark Ostertag – aye
Connie Carlson – aye	Judy Seeberger – aye
Michele Hanson – aye	

Administrator Berg acknowledged Assistant Administrator Taylor's efforts in reducing the city's safety-related expenses and Engineer Peter's work to secure approval from the Minnesota Department of Health for part two of the city's wellhead protection plan. Mayor St. Ores thanked Jeff and Donna Todd for their donation to the police and fire departments. She also noted that the Bayport Fire Department provides services to surrounding communities, which helps maintain and offset costs for the services provided.

**RIVERFRONT ADVISORY COMMISSION REPORT**

Administrator Berg provided an update on the commission's activities. A feasibility report was prepared based on the high priority objectives, and discussion of the objectives will be continued to the next meeting. A public forum on the group's findings and recommendations is being scheduled for the latter part of the month or in early February, and Commissioner Goldston encouraged residents to attend and provide feedback.

**COUNCIL LIAISON REPORTS**

Councilmember Seeberger stated the next meeting of the Planning Commission is scheduled for Tuesday, January 18, 2011 at 6:00 p.m.

Councilmember Carlson stated the Cable Commission did not meet in December and details on the next meeting are pending.

Councilmember Carlson reviewed the Library Board meeting of December 16, 2010. The library received a \$45,000.00 grant from the Library Foundation for operating expenses. The final library budget was also approved. The next meeting is scheduled for Thursday, January 27, 2011, 6:00 p.m., at the library and the public is encouraged to attend.

Administrator Berg reported on the December meeting of the Middle St. Croix Watershed Management Organization (MSCWMO) for outgoing Councilmember Torry Kraftson. The 2011 budget was approved, with no increase in costs to the city from 2010.

### **UNFINISHED BUSINESS**

Consider an appointment to the Library Board: The library board has requested that Linda Walters be appointed to the board, filling the vacancy left by Sandy Ness.

It was moved by Commissioner Seeberger and seconded by Councilmember Carlson to approve the appointment of Linda Walters to the Bayport Public Library Board of Trustees. Motion carried 5-0.

### **NEW BUSINESS**

Consider proposals for auditing services for fiscal years 2010, 2011, and 2012: Administrator Berg noted the city received nine proposals which were reviewed by an audit selection committee. Three firms were interviewed and staff continues to evaluate the following two qualified applicants:

<u>Firm Name</u>	<u>Location</u>	<u>Quoted Price</u>
Goldetsky Etling, P.A.	Bloomington, MN	\$58,975.00
Schlenner, Wenner and Company	St. Cloud, MN	\$38,450.00

Both firm's quoted prices are less than budgeted. Administrator Berg requested authorization from the City Council to make the final selection, at a quoted price not to exceed \$60,000.00, which will allow staff to proceed with the 2010 audit preparations. He explained the lowest quoter estimated far fewer hours to complete the audit, resulting in a substantially lower price, and staff needs to investigate both proposals in more detail before making a decision.

It was moved by Councilmember Carlson and seconded by Councilmember Seeberger to authorize Administrator Berg to evaluate the final two qualified applicants and select a firm to provide auditing services for fiscal years 2010, 2011 and 2011, at a fee not to exceed \$60,000.00. Motion carried 5-0.

### Set City Council meeting dates for 2011:

It was moved by Councilmember Hanson and seconded by Councilmember Carlson to approve the 2011 City Council regular meeting dates as presented. Motion carried 5-0.

### Consider appointments, designations, and City Council liaison assignments for 2011:

The following liaison appointments were established:

Planning Commission	Michele Hanson	Susan St. Ores, alternate
Library Board	Connie Carlson	Judy Seeberger, alternate
Cable Commission	Mark Ostertag	Connie Carlson, alternate
Middle St. Croix Watershed	Susan St. Ores	Judy Seeberger, alternate
Lower St. Croix Partnership	Judy Seeberger	Mark Ostertag, alternate
Andersen Citizen Advisory	Judy Seeberger	Michele Hanson, alternate

Councilmember Seeberger was selected to serve as Deputy Mayor. Administrator Berg reviewed the remaining city appointments and designations, noting the city auditor would be designated upon selection.

It was moved by Councilmember Carlson and seconded by Councilmember Ostertag to approve the 2011 appointments, designations and City Council liaison assignments as presented. Motion carried 5-0.

### **COUNCIL ITEMS AND ANNOUNCEMENTS**

1. Councilmember Seeberger announced that the next meeting of the Washington County Beyond the Yellow Ribbon group is scheduled for Wednesday, January 5, 2011, 7:00 p.m., at the Bayport

American Legion, and encouraged interested residents to attend. She also noted that the Beyond the Yellow Ribbon consortium members from Bayport, Baytown Township, Lake Elmo, Oak Park Heights and West Lakeland Township have identified multiple volunteer opportunities to help families whose family members are deployed. Councilmember Seeberger announced that her husband was being mobilized in March.

2. Councilmember Hanson provided an update on the Girl Scout bench project for the Perro Park ice rink, noting the scouts should have the project completed soon.
3. Councilmember Ostertag noted the Bayport Fire Department fundraising dance is scheduled for Saturday, February 5, 2011, at the Bayport American Legion and residents will be receiving raffle tickets in the mail.

### **CITY ADMINISTRATOR STAFF ITEMS AND ANNOUNCEMENTS**

#### City Administrator update:

- Administrator Berg noted that a lighting audit revealed an opportunity to update the City Hall, fire station and public works garage with energy-efficient lights and take advantage of generous rebates. The city will realize a substantial payback in energy savings.
- Public Works staff was recognized for the outstanding job they did keeping the city's streets plowed and safe during December's record snowfall. City staff is making plans for potential spring flooding.

### **ADJOURNMENT**

It was moved by Councilmember Seeberger and seconded by Councilmember Carlson to adjourn the meeting at 6:55 p.m. Motion carried 5-0.

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City Administrator/Clerk

CITY OF BAYPORT

REVENUE SUMMARY YTD THRU 01/31/2011

FUND	FUND Descr	2011 Budget	2011 YTD Amt	2011 % of Budget	2011 % of Budget Remain
101	GENERAL	\$2,021,565.00	\$17,026.26	0.84%	99.16%
102	STREET RECONSTRUCTION	\$0.00	\$0.00	0.00%	0.00%
103	G O TIF BD FUND 1990 CAP PROJ	\$0.00	\$0.00	0.00%	0.00%
106	TIF ECON DEV DIST 2	\$0.00	\$0.00	0.00%	0.00%
107	TIF REDEVELOPMENT DISTRICT 2-1	\$0.00	\$0.00	0.00%	0.00%
200	FIRE EQUIPMENT REPLACEMENT FUN	\$0.00	\$125.00	0.00%	0.00%
202	DRUG FORFEITURE	\$0.00	\$66.06	0.00%	0.00%
203	PUBLIC WORKS EQUIPMENT REPL	\$0.00	\$0.00	0.00%	0.00%
204	RECREATION CAP EQUIP & MAINT	\$0.00	\$0.00	0.00%	0.00%
205	TAX STABILIZATION FUND	\$0.00	\$0.00	0.00%	0.00%
206	WATER/SEWER IMPROVEMENT FUND	\$0.00	\$0.00	0.00%	0.00%
207	PARK IMPROVEMENT FUND	\$0.00	\$0.00	0.00%	0.00%
208	PRISON SEWER PROJECT	\$0.00	\$0.00	0.00%	0.00%
209	DEVELOPER REIMBURSED PROJECTS	\$0.00	\$0.00	0.00%	0.00%
210	K-9 UNIT	\$0.00	\$0.00	0.00%	0.00%
211	LIBRARY	\$297,247.98	\$367.35	0.12%	99.88%
303	GO TIF BOND 1990 DEBT SERVICE	\$0.00	\$0.00	0.00%	0.00%
412	CEMETERY CAPITAL IMPROV	\$0.00	\$0.00	0.00%	0.00%
413	POLICE EQUIPMENT FUND	\$0.00	\$0.00	0.00%	0.00%
414	OFFICE AUTOMATION	\$0.00	\$0.00	0.00%	0.00%
415	MUNICIPAL BLDGS MAINT	\$0.00	\$99.00	0.00%	0.00%
416	PERRO CREEK OUTLET	\$0.00	\$0.00	0.00%	0.00%
601	WATER	\$0.00	\$2,882.48	0.00%	0.00%
602	SEWER	\$0.00	\$0.00	0.00%	0.00%
800	INVESTMENTS-POOLED	\$0.00	\$0.00	0.00%	0.00%
803	P & Z ESCROWS	\$0.00	\$1,000.00	0.00%	0.00%
851	NON EXP TRUST	\$0.00	\$0.00	0.00%	0.00%
		\$2,318,812.98	\$21,566.15	0.93%	99.07%

**CITY OF BAYPORT**  
**MONTHLY RECEIPTS**

02/03/11 9:06 AM

Page 1

Period Name: JANUARY

FUND	Tran Date	Amount	Refer Comments	Account Descr
<b>FUND 101 GENERAL</b>				
101	1/6/2011	\$250.00	1411 TOBACCO Holiday Companies, #720544	R 101-00000-32100 BUSINES
101	1/6/2011	\$250.00	1411 TOBACCO Bayport Liquors, #14659	R 101-00000-32100 BUSINES
101	1/6/2011	\$250.00	1412 LIQUOR - CLUB American Legion, #27617	R 101-00000-32100 BUSINES
101	1/6/2011	\$200.00	1412 LIQUOR - SUNDAY American Legion, #26	R 101-00000-32100 BUSINES
101	1/6/2011	\$2,000.00	1412 LIQUOR - ON SALE Woody's Bar & Grill, #	R 101-00000-32100 BUSINES
101	1/6/2011	\$100.00	1412 LIQUOR - OFF SALE Woody's Bar & Grill,	R 101-00000-32100 BUSINES
101	1/6/2011	\$2,000.00	1412 LIQUOR - ON SALE Greystone Bar, #1162	R 101-00000-32100 BUSINES
101	1/6/2011	\$200.00	1412 LIQUOR - SUNDAY Greystone Bar, #1162	R 101-00000-32100 BUSINES
101	1/6/2011	\$200.00	1412 LIQUOR - SUNDAY Woody's Bar & Grill, #	R 101-00000-32100 BUSINES
101	1/6/2011	\$100.00	1412 LIQUOR - OFF SALE Bayport Liquors, #14	R 101-00000-32100 BUSINES
101	1/6/2011	\$2,000.00	1412 LIQUOR - ON SALE Captain's Corner, #69	R 101-00000-32100 BUSINES
101	1/6/2011	\$200.00	1412 LIQUOR - SUNDAY La Cocinita, #11239	R 101-00000-32100 BUSINES
101	1/6/2011	\$2,000.00	1412 LIQUOR - ON SALE La Cocinita, #11239	R 101-00000-32100 BUSINES
101	1/6/2011	\$200.00	1412 LIQUOR - SUNDAY Bayport BBQ, #3048	R 101-00000-32100 BUSINES
101	1/6/2011	\$2,000.00	1412 LIQUOR - ON SALE Bayport BBQ, #3048	R 101-00000-32100 BUSINES
101	1/6/2011	\$100.00	1412 LIQUOR - OFF SALE Greystone Bar, #116	R 101-00000-32100 BUSINES
101	1/13/2011	\$30.00	157 ACCESS INFORMATION - SEARCH	R 101-00000-34105 USER FE
101	1/10/2011	\$25.00	1418 ASSESSMENT SEARCH ACCESS INFOR	R 101-00000-34105 USER FE
101	1/6/2011	\$5.00	152 HEARTH HOME RETAIL - 334 PRAIRE W	G 101-20104 STATE SURCHA
101	1/5/2011	\$5.00	1408 MECHANICAL SURCHARGE - RESIDENT	G 101-20104 STATE SURCHA
101	1/11/2011	\$5.00	1421 MECHANICAL SURCHARGE - RESIDENT	G 101-20104 STATE SURCHA
101	1/12/2011	\$5.00	1422 PLUMBING SURCHARGE - RESIDENTIA	G 101-20104 STATE SURCHA
101	1/26/2011	\$5.00	1428 MECHANICAL SURCHARGE - RESIDENT	G 101-20104 STATE SURCHA
101	1/20/2011	\$5.00	1437 MECHANICAL SURCHARGE - RESIDENT	G 101-20104 STATE SURCHA
101	1/27/2011	\$5.00	1441 PLUMBING SURCHARGE - RESIDENTIA	G 101-20104 STATE SURCHA
101	1/27/2011	\$5.00	1451 MECHANICAL SURCHARGE - RESIDENT	G 101-20104 STATE SURCHA
101	1/31/2011	\$5.00	1454 PLUMBING SURCHARGE - RESIDENTIA	G 101-20104 STATE SURCHA
101	1/13/2011	\$1.24	24 State Sales Tax	G 101-20603 SALES TAX PAY
101	1/6/2011	\$3.44	24 State Sales Tax	G 101-20603 SALES TAX PAY
101	1/31/2011	\$17.19	16435 SALES TAX - BEACH HOUSE RENTAL	G 101-20603 SALES TAX PAY
101	1/6/2011	\$39.55	148 2011 JAN HEALTH & DENTAL	G 101-27107 DELTA DENTAL
101	1/20/2011	\$39.55	1435 DELTA DENTAL KEN HARTUNG - CK # 3	G 101-27107 DELTA DENTAL
101	1/20/2011	\$39.55	1436 DELTA DENTAL KEN HARTUNG - CK # 3	G 101-27107 DELTA DENTAL
101	1/6/2011	\$602.90	148 2011 JAN HEALTH & DENTAL	G 101-27109 HEALTH PARTN
101	1/20/2011	\$602.90	1435 MEDICA KEN HARTUNG - CK # 3419	G 101-27109 HEALTH PARTN
101	1/20/2011	\$602.90	1436 MEDICA KEN HARTUNG - CK # 3420	G 101-27109 HEALTH PARTN
101	1/20/2011	\$79.28	1439 MEDICA KENT FARNHAM CK # 1100718	G 101-27109 HEALTH PARTN
101	1/31/2011	\$842.75	16432 DECEMBER 2010 HEALTH INS./PAT LO	G 101-27109 HEALTH PARTN
101	1/31/2011	\$79.28	16434 KEN FARNHAM - FEB 2011 PREM	G 101-27109 HEALTH PARTN
101	1/20/2011	\$58.34	1439 HEALTH SAVING ACCT. KENT FARNHA	G 101-27122 H S A
101	1/31/2011	\$58.34	16434 KEN FARNHAM - FEB 2011 PREM	G 101-27122 H S A
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Lightning Dispo	R 101-41240-32100 BUSINES
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Horak, Inc, #152	R 101-41240-32100 BUSINES
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Maroney's Sanit	R 101-41240-32100 BUSINES
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Shamrock Dispo	R 101-41240-32100 BUSINES
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Republic Servic	R 101-41240-32100 BUSINES
101	1/6/2011	\$200.00	1407 REFUSE HAUL LICENSE Waste Manage	R 101-41240-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY H	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY Ai	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY A	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY S	R 101-41910-32100 BUSINES
101	1/6/2011	\$100.00	1405 CONTRACTOR LICENSE - GENERAL Par	R 101-41910-32100 BUSINES
101	1/6/2011	\$100.00	1405 CONTRACTOR LICENSE - GENERAL Cor	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY D	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY C	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY N	R 101-41910-32100 BUSINES
101	1/6/2011	\$100.00	1405 CONTRACTOR LICENSE - GENERAL Ge	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY A	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY C	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY H	R 101-41910-32100 BUSINES

**CITY OF BAYPORT**  
**MONTHLY RECEIPTS**

02/03/11 9:06 AM

Page 2

Period Name: JANUARY

FUND	Tran Date	Amount	Refer Comments	Account Descr
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY Fi	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY M	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY S	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY A	R 101-41910-32100 BUSINES
101	1/6/2011	\$50.00	1405 CONTRACTOR LICENSE - SPECIALTY R	R 101-41910-32100 BUSINES
101	1/10/2011	\$50.00	1417 CONTRACTOR LICENSE - SPECIALTY G	R 101-41910-32100 BUSINES
101	1/11/2011	\$50.00	1421 CONTRACTOR LICENSE - SPECIALTY P	R 101-41910-32100 BUSINES
101	1/25/2011	\$50.00	1442 CONTRACTOR LICENSE - SPECIALTY S	R 101-41910-32100 BUSINES
101	1/27/2011	\$50.00	1451 CONTRACTOR LICENSE - SPECIALTY A	R 101-41910-32100 BUSINES
101	1/27/2011	\$50.00	1452 CONTRACTOR LICENSE - SPECIALTY A	R 101-41910-32100 BUSINES
101	1/31/2011	\$50.00	1456 CONTRACTOR LICENSE - SPECIALTY B	R 101-41910-32100 BUSINES
101	1/12/2011	\$75.00	1422 PLUMBING PERMIT - RESIDENTIAL C&N	R 101-41910-32220 PLUMBIN
101	1/27/2011	\$75.00	1441 PLUMBING PERMIT - RESIDENTIAL McD	R 101-41910-32220 PLUMBIN
101	1/31/2011	\$75.00	1454 PLUMBING PERMIT - RESIDENTIAL You	R 101-41910-32220 PLUMBIN
101	1/6/2011	\$80.00	152 HEARTH HOME RETAIL - 334 PRAIRE W	R 101-41910-32230 MECHANI
101	1/5/2011	\$75.00	1408 MECHANICAL PERMIT - RESIDENTIAL R	R 101-41910-32230 MECHANI
101	1/11/2011	\$75.00	1421 MECHANICAL PERMIT - RESIDENTIAL P	R 101-41910-32230 MECHANI
101	1/26/2011	\$75.00	1428 MECHANICAL PERMIT - RESIDENTIAL A	R 101-41910-32230 MECHANI
101	1/20/2011	\$75.00	1437 MECHANICAL PERMIT - RESIDENTIAL 9	R 101-41910-32230 MECHANI
101	1/27/2011	\$75.00	1451 MECHANICAL PERMIT - RESIDENTIAL A	R 101-41910-32230 MECHANI
101	1/6/2011	\$250.00	147 CUP APPLICATION	R 101-41910-34100 P & Z PE
101	1/20/2011	\$250.00	16426 BRIAN ZELLER - ESCROW & CUP FEES	R 101-41910-34100 P & Z PE
101	1/10/2011	\$45.00	1415 PHONE REIMBURSTMENT LAURA EAST	E 101-42100-321 COMMUNIC
101	1/13/2011	\$40.00	155 KURT HOLBERG - 2 PET LIC	R 101-42100-32240 ANIMAL F
101	1/13/2011	\$10.00	156 S. GILLES - 1 PET LICE	R 101-42100-32240 ANIMAL F
101	1/3/2011	\$20.00	1392 PET LICENSE - SPAY/NEUT Kathy Grab -	R 101-42100-32240 ANIMAL F
101	1/3/2011	\$20.00	1401 PET LICENSE - SPAY/NEUT Abrahamson	R 101-42100-32240 ANIMAL F
101	1/4/2011	\$20.00	1402 PET LICENSE - SPAY/NEUT ROSE DELO	R 101-42100-32240 ANIMAL F
101	1/5/2011	\$10.00	1404 PET LICENSE - SPAY/NEUT Harvieux, C	R 101-42100-32240 ANIMAL F
101	1/4/2011	\$10.00	1406 PET LICENSE - SPAY/NEUT CYNTHIA U	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Dixon - CAS	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$40.00	1413 PET LICENSE - NO SPAY/NEUT Kamps-2	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$20.00	1413 PET LICENSE - SPAY/NEUT Friedrich, #9	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Lesicka, #11	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Stoerzinger,	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Gillstrom for	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Pieper, #763	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Walters, #61	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT B. Hogberg,	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT Purington -	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$10.00	1413 PET LICENSE - SPAY/NEUT C. Olson - C	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$30.00	1413 PET LICENSE - SPAY/NEUT Seeberger-3	R 101-42100-32240 ANIMAL F
101	1/6/2011	\$25.00	1413 SM BIRD/FOWL LICENSE Seeberger, CA	R 101-42100-32240 ANIMAL F
101	1/10/2011	\$10.00	1414 PET LICENSE - SPAY/NEUT Hoff - Cash	R 101-42100-32240 ANIMAL F
101	1/10/2011	\$10.00	1414 PET LICENSE - SPAY/NEUT Andersen -	R 101-42100-32240 ANIMAL F
101	1/11/2011	\$20.00	1416 PET LICENSE - SPAY/NEUT 2 licenses fo	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$20.00	1420 PET LICENSE - NO SPAY/NEUT SARAH	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1420 PET LICENSE - SPAY/NEUT SARAH AND	R 101-42100-32240 ANIMAL F
101	1/13/2011	\$20.00	1424 PET LICENSE - SPAY/NEUT Linda Kascht	R 101-42100-32240 ANIMAL F
101	1/25/2011	\$10.00	1426 PET LICENSE - SPAY/NEUT MARY LANZ	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1429 PET LICENSE - SPAY/NEUT CASH - RAL	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1429 PET LICENSE - SPAY/NEUT CASH - RAL	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1429 PET LICENSE - SPAY/NEUT CASH - RAL	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1429 PET LICENSE - SPAY/NEUT CASH - RAL	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$10.00	1433 PET LICENSE - SPAY/NEUT CASH/SEVE	R 101-42100-32240 ANIMAL F
101	1/20/2011	\$20.00	1434 PET LICENSE - NO SPAY/NEUT SHARO	R 101-42100-32240 ANIMAL F
101	1/31/2011	\$10.00	1443 PET LICENSE - SPAY/NEUT Pam Hoyer, #	R 101-42100-32240 ANIMAL F
101	1/27/2011	\$10.00	1444 PET LICENSE - SPAY/NEUT KRANZ - CA	R 101-42100-32240 ANIMAL F
101	1/27/2011	\$10.00	1450 PET LICENSE - SPAY/NEUT EHLERS - C	R 101-42100-32240 ANIMAL F
101	1/13/2011	\$4.00	159 LEXISNEXIS - POLICE REPORT	R 101-42100-34201 POLICE A
101	1/10/2011	\$4.00	1419 POLICE REPORTS AMERICAN FAMILY I	R 101-42100-34201 POLICE A

**CITY OF BAYPORT**  
**MONTHLY RECEIPTS**

02/03/11 9:06 AM  
Page 3

Period Name: JANUARY

FUND	Tran Date	Amount	Refer Comments	Account Descr
101	1/13/2011	\$1.00	1425 POLICE REPORTS JINKS - CASH	R 101-42100-34201 POLICE A
101	1/20/2011	\$0.50	1430 POLICE REPORTS CASH	R 101-42100-34201 POLICE A
101	1/20/2011	\$0.75	1431 POLICE REPORTS BRIANNA HABLE - C	R 101-42100-34201 POLICE A
101	1/20/2011	\$1.00	1432 POLICE REPORTS CASH/POLICE REPO	R 101-42100-34201 POLICE A
101	1/27/2011	\$4.00	1446 POLICE REPORTS American Family Insur	R 101-42100-34201 POLICE A
101	1/27/2011	\$1.00	1448 POLICE REPORTS CASH (change)	R 101-42100-34201 POLICE A
101	1/6/2011	\$50.00	146 2011 DONNA TODD - POLICE & FIRE DO	R 101-42100-36231 DONATIO
101	1/6/2011	\$20.00	149 DEAN SHAFER - 2010 BURNING PERMIT	R 101-42200-32200 NONBUSI
101	1/6/2011	\$10.00	150 GLEN PETERSON - 2010 BURNING PER	R 101-42200-32200 NONBUSI
101	1/6/2011	\$20.00	151 ANTHONY LANGE - 2010 BURNING PER	R 101-42200-32200 NONBUSI
101	1/20/2011	\$172.01	1438 BURNING PERMIT FIRE PROTECTION P	R 101-42200-32200 NONBUSI
101	1/6/2011	\$50.00	146 2011 DONNA TODD - POLICE & FIRE DO	R 101-42200-36232 DONATIO
101	1/3/2011	\$50.00	1390 BEACHHOUSE - RESIDENT (4 HR) Holly	R 101-43200-34780 PARK FE
101	1/13/2011	\$18.00	1423 PARK FIELD-COURT RENTAL FEE Sheil	R 101-43200-34780 PARK FE
101	1/25/2011	\$50.00	1427 PARK FIELD-COURT RENTAL FEE Valley	R 101-43200-34780 PARK FE
101	1/25/2011	\$50.00	1427 PARK FIELD-COURT RENTAL FEE Valley	R 101-43200-34780 PARK FE
101	1/31/2011	\$150.00	1457 BEACHHOUSE - NONRESIDENT (4 HR)	R 101-43200-34780 PARK FE
FUND 101 GENERA		\$20,183.47		
<b>FUND 200 FIRE EQUIPMENT REPLACEMENT FUN</b>				
200	1/13/2011	\$125.00	158 OFFICE OF CT ADMIN - FIRE DEPT.	R 200-41600-36232 DONATIO
<b>FUND 202 DRUG FORFEITURE</b>				
202	1/13/2011	\$66.06	16419 VEH FORFEITURE - POLICE DEPT.	R 202-42102-36249 DRUG FO
<b>FUND 206 WATER/SEWER IMPROVEMENT FUND</b>				
206	1/13/2011	\$31.50	0 UB Receipt Serv 27 TRUNK W/COMM	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$24.07	0 UB Receipt Serv 27 TRUNK W/COMM	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$304.24	0 UB Receipt Serv 36 TRUNK S/RESI	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$17.29	0 UB Receipt Serv 37 TRUNK S/COMM	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$287.30	0 UB Receipt Serv 36 TRUNK S/RESI	G 206-12103 A/R GEN BILLIN
206	1/13/2011	\$307.63	0 UB Receipt Serv 36 TRUNK S/RESI	G 206-12103 A/R GEN BILLIN
206	1/13/2011	\$376.15	0 UB Receipt Serv 26 TRUNK W/RESI	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$4.20	0 UB Receipt Serv 21 TRUNK/W COMB	G 206-12103 A/R GEN BILLIN
206	1/13/2011	\$12.39	0 UB Receipt Serv 37 TRUNK S/COMM	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$319.09	0 UB Receipt Serv 26 TRUNK W/RESI	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$29.11	0 UB Receipt Serv 37 TRUNK S/COMM	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$347.70	0 UB Receipt Serv 26 TRUNK W/RESI	G 206-12103 A/R GEN BILLIN
206	1/6/2011	\$11.40	0 UB Receipt Serv 27 TRUNK W/COMM	G 206-12103 A/R GEN BILLIN
FUND 206 WATER/		\$2,072.07		
<b>FUND 211 LIBRARY</b>				
211	1/31/2011	\$8.40	16428 REGINA SANDERS - SERVICE CHG/LIB	R 211-45500-34760 LIBRARY
211	1/31/2011	\$90.95	16429 KENNETH SEEFERT-SERVICE CHG/LIB	R 211-45500-34760 LIBRARY
211	1/31/2011	\$8.00	16430 MARY KOENNING/SER CHG-LIB	R 211-45500-34760 LIBRARY
211	1/6/2011	\$200.00	154 2010 RENTAL/LIB	R 211-45500-36220 RENTAL I
211	1/6/2011	\$10.00	153 MERELYN DEMOSKI - 2010 DONATION/L	R 211-45500-36230 DONATIO
211	1/31/2011	\$50.00	16431 JOHN FLIS-DONATION/LIB	R 211-45500-36230 DONATIO
FUND 211 LIBRAR		\$367.35		
<b>FUND 415 MUNICIPAL BLDGS MAINT</b>				
415	1/20/2011	\$99.00	16427 99 YEAR LEASE FOR BOYSCOUTS BLD	R 415-41940-34780 PARK FE
<b>FUND 601 WATER</b>				
601	1/13/2011	\$5.06	0 UB Receipt Serv Pen 1 WATER	G 601-14601 WATER BILLING

CITY OF BAYPORT

MONTHLY RECEIPTS

Period Name: JANUARY

FUND	Tran Date	Amount	Refer Comments	Account Descr
601	1/6/2011	\$4.77	0 UB Receipt Serv 8 SAFE WTR FE	G 601-14601 WATER BILLING
601	1/6/2011	\$15.76	0 UB Receipt Serv 6 WATER METER2	G 601-14601 WATER BILLING
601	1/13/2011	\$111.83	0 UB Receipt Surc 19 STATE SER CH	G 601-14601 WATER BILLING
601	1/6/2011	\$136.56	0 UB Receipt Serv 5 COMM WATER	G 601-14601 WATER BILLING
601	1/6/2011	\$3.27	0 UB Receipt Serv 8 SAFE WTR FE	G 601-14601 WATER BILLING
601	1/6/2011	\$5.11	0 UB Receipt Serv Pen 1 WATER	G 601-14601 WATER BILLING
601	1/13/2011	\$3,660.42	0 UB Receipt Serv 1 WATER	G 601-14601 WATER BILLING
601	1/13/2011	\$287.20	0 UB Receipt Serv 5 COMM WATER	G 601-14601 WATER BILLING
601	1/13/2011	\$15.90	0 UB Receipt Serv 8 SAFE WTR FE	G 601-14601 WATER BILLING
601	1/6/2011	\$3,009.20	0 UB Receipt Serv 1 WATER	G 601-14601 WATER BILLING
601	1/6/2011	\$3,228.03	0 UB Receipt Serv 1 WATER	G 601-14601 WATER BILLING
601	1/6/2011	\$227.92	0 UB Receipt Serv 5 COMM WATER	G 601-14601 WATER BILLING
601	1/6/2011	\$140.19	0 UB Receipt Surc 19 STATE SER CH	G 601-14601 WATER BILLING
601	1/6/2011	\$116.82	0 UB Receipt Surc 19 STATE SER CH	G 601-14601 WATER BILLING
601	1/6/2011	\$3.29	0 UB Receipt Serv Pen 1 WATER	G 601-14601 WATER BILLING
601	1/6/2011	\$11.87	0 UB Receipt Surc 20 STATE TAX	G 601-14605 SALES TAX RE
601	1/6/2011	\$17.56	0 UB Receipt Surc 20 STATE TAX	G 601-14605 SALES TAX RE
601	1/13/2011	\$23.00	0 UB Receipt Surc 20 STATE TAX	G 601-14605 SALES TAX RE
601	1/27/2011	\$1,000.00	1441 WATER CONNECTION - TO 1 IN McDona	R 601-46120-34601 WATER H
601	1/31/2011	\$1,000.00	1454 WATER CONNECTION - TO 1 IN	R 601-46120-34601 WATER H
601	1/27/2011	\$250.00	1441 WATER METER - TO 1 IN McDonald Cons	R 601-46120-34602 WATER M
601	1/31/2011	\$250.00	1454 WATER METER - TO 1 IN	R 601-46120-34602 WATER M
601	1/27/2011	\$100.00	1441 WATER METER INSPECTION McDonald	R 601-46120-34603 WATER H
601	1/31/2011	\$100.00	1454 WATER CONNECTION INSPECTION	R 601-46120-34603 WATER H
601	1/6/2011	\$107.74	0 UB UR Receipt Group 01 CITY WIDE	R 601-46120-37110 WATER R
601	1/6/2011	\$74.45	0 UB UR Receipt Group 01 CITY WIDE	R 601-46120-37110 WATER R
601	1/6/2011	\$0.20	0 UB UR Receipt Group 00 FINAL GROUP	R 601-46120-37110 WATER R
601	1/13/2011	\$0.09	0 UB UR Receipt Group 01 CITY WIDE	R 601-46120-37110 WATER R
FUND 601 WATER		\$13,906.24		
<b>FUND 602 SEWER</b>				
602	1/6/2011	\$163.20	0 UB Receipt Serv 25 COMM SEWER	G 602-14602 SEWER BILLIN
602	1/6/2011	\$3.29	0 UB Receipt Serv Pen 10 SEWER	G 602-14602 SEWER BILLIN
602	1/6/2011	\$2,576.81	0 UB Receipt Serv 10 SEWER	G 602-14602 SEWER BILLIN
602	1/6/2011	\$279.76	0 UB Receipt Serv 25 COMM SEWER	G 602-14602 SEWER BILLIN
602	1/6/2011	\$5.11	0 UB Receipt Serv Pen 10 SEWER	G 602-14602 SEWER BILLIN
602	1/6/2011	\$2,718.10	0 UB Receipt Serv 10 SEWER	G 602-14602 SEWER BILLIN
602	1/13/2011	\$117.20	0 UB Receipt Serv 25 COMM SEWER	G 602-14602 SEWER BILLIN
602	1/13/2011	\$5.06	0 UB Receipt Serv Pen 10 SEWER	G 602-14602 SEWER BILLIN
602	1/13/2011	\$2,766.91	0 UB Receipt Serv 10 SEWER	G 602-14602 SEWER BILLIN
FUND 602 SEWER		\$8,635.44		
<b>FUND 803 P &amp; Z ESCROWS</b>				
803	1/20/2011	\$500.00	16426 BRIAN ZELLER - ESCROW & CUP FEES	R 803-80029-34100 P & Z PE
803	1/6/2011	\$500.00	147 ESCROW	R 803-80030-34100 P & Z PE
FUND 803 P & Z ES		\$1,000.00		
		\$46,454.63		

CITY OF BAYPORT

EXPENSE SUMMARY YTD THRU 01/31/2011

CK # 132745-132942 GENERAL

CK # 33041-33072 PAYROLL

DEPT	DEPT Descr	2011 Budget	2011 YTD Amt	Balance	2011 % of Budget Remain
FUND 101 GENERAL					
00000	GENERAL GOVERNMENT	\$0.00	\$0.00	\$0.00	0.00%
41100	ELECTIONS	\$470.00	\$470.00	\$0.00	0.00%
41200	MAYOR & COUNCIL	\$143,926.21	\$10,905.20	\$133,021.01	92.42%
41240	RECYCLING	\$5,415.02	\$231.73	\$5,183.29	95.72%
41400	ADMINISTRATION	\$137,497.18	\$7,820.63	\$129,676.55	94.31%
41903	DEBT SERVICE	\$0.00	\$0.00	\$0.00	0.00%
41910	PLANNING & ZONING	\$207,073.39	\$12,187.12	\$194,886.27	94.11%
41940	MUNICIPAL BUILDINGS	\$137,368.00	\$2,705.41	\$134,662.59	98.03%
42100	POLICE	\$667,761.70	\$35,298.11	\$632,463.59	94.71%
42200	FIRE PROTECTION	\$355,637.00	\$34,065.54	\$321,571.46	90.42%
43100	STREET MAINT	\$255,720.77	\$11,122.10	\$244,598.67	95.65%
43160	STREET LIGHTING	\$22,021.00	\$2,422.27	\$19,598.73	89.00%
43200	PARKS	\$63,847.70	\$1,937.88	\$61,909.82	96.96%
43300	CEMETERY	\$7,527.00	\$0.00	\$7,527.00	100.00%
44100	PROJECT	\$50,000.00	\$0.00	\$50,000.00	100.00%
FUND 101 GENERAL		\$2,054,264.97	\$119,165.99	\$1,935,098.98	94.20%
FUND 208 PRISON SEWER PROJECT					
44100	PROJECT	\$0.00	\$0.00	\$0.00	0.00%
FUND 209 DEVELOPER REIMBURSED PROJECTS					
41911	BAYTOWN DEVELOPMENTS	\$0.00	\$0.00	\$0.00	0.00%
41912	INSPIRATION	\$0.00	\$0.00	\$0.00	0.00%
41913	EMERALD FALLS	\$0.00	\$0.00	\$0.00	0.00%
FUND 209 DEVELOPER REIMBURSED P		\$0.00	\$0.00	\$0.00	0.00%
FUND 210 K-9 UNIT					
42103	K - 9 UNIT	\$0.00	\$0.00	\$0.00	0.00%
FUND 210 K-9 UNIT		\$0.00	\$0.00	\$0.00	0.00%
FUND 211 LIBRARY					
45500	LIBRARY	\$297,248.00	\$13,870.72	\$283,377.28	95.33%
FUND 211 LIBRARY		\$297,248.00	\$13,870.72	\$283,377.28	95.33%
FUND 412 CEMETERY CAPITAL IMPROV					
41600	CAPITAL OUTLAY	\$0.00	\$0.00	\$0.00	0.00%
43300	CEMETERY	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 CEMETERY CAPITAL IMPROV		\$0.00	\$0.00	\$0.00	0.00%
FUND 413 POLICE EQUIPMENT FUND					
41900	CAPITAL IMPROVEMENTS	\$0.00	\$4,579.12	-\$4,579.12	0.00%
42100	POLICE	\$0.00	\$31,348.54	-\$31,348.54	0.00%
FUND 413 POLICE EQUIPMENT FUND		\$0.00	\$35,927.66	-\$35,927.66	0.00%
FUND 414 OFFICE AUTOMATION					
00000	GENERAL GOVERNMENT	\$0.00	\$3,666.83	-\$3,666.83	0.00%
41400	ADMINISTRATION	\$0.00	\$0.00	\$0.00	0.00%
41910	PLANNING & ZONING	\$0.00	\$0.00	\$0.00	0.00%
42100	POLICE	\$0.00	\$0.00	\$0.00	0.00%
43100	STREET MAINT	\$0.00	\$0.00	\$0.00	0.00%
43200	PARKS	\$0.00	\$0.00	\$0.00	0.00%
46120	WATER	\$0.00	\$0.00	\$0.00	0.00%
46200	SEWER - OPERATING	\$0.00	\$0.00	\$0.00	0.00%

CITY OF BAYPORT

EXPENSE SUMMARY YTD THRU 01/31/2011

CK # 132745-132942 GENERAL

CK # 33041-33072 PAYROLL

DEPT	DEPT Descr	2011 Budget	2011 YTD Amt	Balance	2011 % of Budget Remain
FUND 414	OFFICE AUTOMATION	\$0.00	\$3,666.83	-\$3,666.83	0.00%
FUND 415	MUNICIPAL BLDGS MAINT				
41600	CAPITAL OUTLAY	\$0.00	\$0.00	\$0.00	0.00%
41900	CAPITAL IMPROVEMENTS	\$0.00	\$0.00	\$0.00	0.00%
FUND 415	MUNICIPAL BLDGS MAINT	\$0.00	\$0.00	\$0.00	0.00%
FUND 416	PERRO CREEK OUTLET				
80018	MSCWM PERRO CREEK OUTL	\$0.00	\$0.00	\$0.00	0.00%
FUND 416	PERRO CREEK OUTLET	\$0.00	\$0.00	\$0.00	0.00%
FUND 601	WATER				
46110	WATER-PUMPHOUSE	\$0.00	\$1,946.35	-\$1,946.35	0.00%
46120	WATER	\$0.00	\$19,952.23	-\$19,952.23	0.00%
FUND 601	WATER	\$0.00	\$21,898.58	-\$21,898.58	0.00%
FUND 602	SEWER				
44100	PROJECT	\$0.00	\$0.00	\$0.00	0.00%
46200	SEWER - OPERATING	\$0.00	\$9,047.04	-\$9,047.04	0.00%
46990	SEWER - NON-OPERATING	\$0.00	\$62,021.84	-\$62,021.84	0.00%
FUND 602	SEWER	\$0.00	\$71,068.88	-\$71,068.88	0.00%
FUND 800	INVESTMENTS-POOLED				
00000	GENERAL GOVERNMENT	\$0.00	\$0.00	\$0.00	0.00%
47000	INTEREST EXP	\$0.00	\$0.00	\$0.00	0.00%
FUND 800	INVESTMENTS-POOLED	\$0.00	\$0.00	\$0.00	0.00%
FUND 803	P & Z ESCROWS				
41910	PLANNING & ZONING	\$0.00	\$0.00	\$0.00	0.00%
41912	INSPIRATION	\$0.00	\$0.00	\$0.00	0.00%
80001	ANDERSEN ESCROW	\$0.00	\$0.00	\$0.00	0.00%
80003	BAYTOWN ANNEXATION	\$0.00	\$0.00	\$0.00	0.00%
80006	OSTERTAG VARIANCE	\$0.00	\$0.00	\$0.00	0.00%
80008	CHARLES LUTZ STREET VACA	\$0.00	\$0.00	\$0.00	0.00%
80010	JERRY PETERSON ESCROW	\$0.00	\$0.00	\$0.00	0.00%
80011	CAPTAINS CORNER	\$0.00	\$0.00	\$0.00	0.00%
80012	FRIENDS OF ST. CROIX PREP.	\$0.00	\$0.00	\$0.00	0.00%
80013	BAYPORT MARINA	\$0.00	\$0.00	\$0.00	0.00%
80014	GROUP 41 (MIKE SCHALON	\$0.00	\$0.00	\$0.00	0.00%
80015	GARY SWAGER	\$0.00	\$0.00	\$0.00	0.00%
80016	Pete Miller - Feasi Study	\$0.00	\$0.00	\$0.00	0.00%
80017	AMERICAN LEGION POST 491	\$0.00	\$0.00	\$0.00	0.00%
80018	MSCWM PERRO CREEK OUTL	\$0.00	\$0.00	\$0.00	0.00%
80019	JG HAUSE CONSTRUCTION	\$0.00	\$0.00	\$0.00	0.00%
80020	HYNNEK CUP APPLICATION	\$0.00	\$0.00	\$0.00	0.00%
80021	GORDON TELLINGHUISEN	\$0.00	\$0.00	\$0.00	0.00%
80022	DUANCE JOHNSON	\$0.00	\$0.00	\$0.00	0.00%
80023	MI-TECH SERVICES, INC.	\$0.00	\$0.00	\$0.00	0.00%
80024	RICK PARENT	\$0.00	\$0.00	\$0.00	0.00%
80025	JUDY SEEBERGER	\$0.00	\$0.00	\$0.00	0.00%
80026	MIDWEST PARA TRANSIT	\$0.00	\$0.00	\$0.00	0.00%
80027	CEMETARY - ST. MIKE'S/ST. C	\$0.00	\$0.00	\$0.00	0.00%
80028	ASPHALT SPEC - 111 CENTRA	\$0.00	\$0.00	\$0.00	0.00%
80029	BRIAN ZELLER	\$0.00	\$0.00	\$0.00	0.00%
FUND 803	P & Z ESCROWS	\$0.00	\$0.00	\$0.00	0.00%
FUND 999	ACCRUED INT PAYABLE				

CITY OF BAYPORT

02/03/11 10:04 AM

Page 3

EXPENSE SUMMARY YTD THRU 01/31/2011

CK # 132745-132942 GENERAL

CK # 33041-33072 PAYROLL

DEPT	DEPT Descr	2011 Budget	2011 YTD Amt	Balance	2011 % of Budget Remain
:41000	DEPRECIATION EXP - GEN GO	\$0.00	\$0.00	\$0.00	0.00%
:42000	PUBLIC SAFE CAPITAL OUTLA	\$0.00	\$0.00	\$0.00	0.00%
43000	DEPRECIATION EXP - PUBLIC	\$0.00	\$0.00	\$0.00	0.00%
:43100	STREET MAINT	\$0.00	\$0.00	\$0.00	0.00%
:43200	PARKS	\$0.00	\$0.00	\$0.00	0.00%
:44000	DEPRECIATION EXP - LIBRAR	\$0.00	\$0.00	\$0.00	0.00%
:45000	DEPRECIATION EXP - PARKS	\$0.00	\$0.00	\$0.00	0.00%
:47000	INTEREST EXP	\$0.00	\$0.00	\$0.00	0.00%
FUND 999 ACCRUED INT PAYABLE		\$0.00	\$0.00	\$0.00	0.00%
		\$2,351,512.97	\$265,598.66	\$2,085,914.31	88.71%

CITY OF BAYPORT

02/03/11 10:07 AM

Page 1

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	Amount	A ct	DEPT OBJ	Comments	OBJ Descr	Check Nbr
<b>FUND 101 GENERAL</b>								
<b>DEPT 41100 ELECTIONS</b>								
WASHINGTON COUNTY	101	1/26/2011	\$470.00	E	41100 416	2011 ACCUVOTE & AUTO	REPAIR/MAINT O	
<b>DEPT 41200 MAYOR &amp; COUNCIL</b>								
	101	1/6/2011	\$1,106.38	E	41200 101	Labor Distribution	WAGES AND SAL	
	101	1/6/2011	\$18.44	E	41200 121	Labor Distribution	P E R A	
	101	1/6/2011	\$68.59	E	41200 122	Labor Distribution	CONT TO RET., S	
	101	1/6/2011	\$16.03	E	41200 170	Labor Distribution	MEDICARE	
MICHAEL W. POFAHL	101	2/1/2011	\$622.00	E	41200 303	JAN 2011 HRS & MILEAGE	PROF SER-AUDIT	
WASHINGTON COUNTY	101	1/26/2011	\$222.36	E	41200 306	2010 TRUTH IN TAXATION	PROF SER-OTHE	
WASHINGTON COUNTY SUR	101	1/27/2011	\$28.94	E	41200 306	RIVERFRONT	PROF SER-OTHE	
STILLWATER GAZETTE	101	1/13/2011	\$15.22	E	41200 350	ORDINANCE SUMMARY N	PRINTING & PUBL	
POSTMASTER	101	2/2/2011	\$185.00	E	41200 350	RENEWAL OF PERMIT #	PRINTING & PUBL	
SCVRTA	101	1/26/2011	\$110.00	E	41200 350	CITY PUBLICATION IN G	PRINTING & PUBL	
LEAGUE OF MINNESOTA CIT	101	1/4/2011	\$855.00	E	41200 402	2011 LEADERSHIP CONF	CONFERENCES &	132809
METRO CITIES	101	1/27/2011	\$1,444.00	E	41200 433	ANNUAL MEMBERSHIP D	DUES & MEMBER	
MIDDLE ST CROIX WATERS	101	1/4/2011	\$6,213.24	E	41200 433	2011 FIRST HALF PMT BU	DUES & MEMBER	132812
<b>DEPT 41200 MAYOR &amp; COUNCIL</b>			<b>\$10,905.20</b>					
<b>DEPT 41240 RECYCLING</b>								
	101	1/25/2011	\$99.15	E	41240 101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$53.59	E	41240 101	Labor Distribution	WAGES AND SAL	
	101	1/25/2011	\$7.20	E	41240 121	Labor Distribution	P E R A	
	101	1/12/2011	\$3.89	E	41240 121	Labor Distribution	P E R A	
	101	1/12/2011	\$3.27	E	41240 122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$6.10	E	41240 122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$4.96	E	41240 126	Labor Distribution	H S A	
	101	1/12/2011	\$4.96	E	41240 126	Labor Distribution	H S A	
	101	1/12/2011	\$9.50	E	41240 131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$6.92	E	41240 131	Labor Distribution	CONT TO EMPLO	
	101	1/12/2011	\$0.77	E	41240 170	Labor Distribution	MEDICARE	
	101	1/25/2011	\$1.42	E	41240 170	Labor Distribution	MEDICARE	
KEN KAISER	101	1/13/2011	\$30.00	E	41240 370	RECYCLING RECIPIENT	RECYCLING INCE	
<b>DEPT 41240 RECYCLING</b>			<b>\$231.73</b>					
<b>DEPT 41400 ADMINISTRATION</b>								
	101	1/25/2011	\$3,418.88	E	41400 101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$1,746.95	E	41400 101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$126.67	E	41400 121	Labor Distribution	P E R A	
	101	1/25/2011	\$247.87	E	41400 121	Labor Distribution	P E R A	
	101	1/12/2011	\$106.35	E	41400 122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$210.00	E	41400 122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$195.15	E	41400 126	Labor Distribution	H S A	
	101	1/12/2011	\$195.15	E	41400 126	Labor Distribution	H S A	
	101	1/25/2011	\$411.35	E	41400 131	Labor Distribution	CONT TO EMPLO	
	101	1/12/2011	\$497.35	E	41400 131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$49.12	E	41400 170	Labor Distribution	MEDICARE	
	101	1/12/2011	\$24.87	E	41400 170	Labor Distribution	MEDICARE	
MAMA	101	2/2/2011	\$20.00	E	41400 402	DECISION RESOURCES	CONFERENCES &	
LEAGUE OF MINNESOTA CIT	101	1/26/2011	\$20.00	E	41400 402	2011 SAFETY & LOSS CO	CONFERENCES &	
TR COMPUTER SALES LLC	101	2/2/2011	\$343.23	E	41400 416	COMPUTER CONSULTING	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	1/31/2011	\$139.47	E	41400 416	SONICWALL	REPAIR/MAINT O	
MAILFINANCE	101	1/13/2011	\$68.22	E	41400 416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
<b>DEPT 41400 ADMINISTRATION</b>			<b>\$7,820.63</b>					
<b>DEPT 41910 PLANNING &amp; ZONING</b>								
	101	1/12/2011	\$2,755.20	E	41910 101	Labor Distribution	WAGES AND SAL	

CITY OF BAYPORT

02/03/11 10:07 AM

Page 2

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	A Amount ct	DEPT	OBJ	Comments	OBJ Descr	Check Nbr
	101	1/25/2011	\$5,443.40 E	41910	101	Labor Distribution	WAGES AND SAL	
	101	1/25/2011	\$394.67 E	41910	121	Labor Distribution	P E R A	
	101	1/12/2011	\$199.76 E	41910	121	Labor Distribution	P E R A	
	101	1/25/2011	\$334.17 E	41910	122	Labor Distribution	CONT TO RET., S	
	101	1/12/2011	\$167.48 E	41910	122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$330.77 E	41910	126	Labor Distribution	H S A	
	101	1/12/2011	\$330.77 E	41910	126	Labor Distribution	H S A	
	101	1/12/2011	\$806.99 E	41910	131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$678.37 E	41910	131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$78.15 E	41910	170	Labor Distribution	MEDICARE	
	101	1/12/2011	\$39.17 E	41910	170	Labor Distribution	MEDICARE	
HOLIDAY FLEET	101	1/6/2011	\$136.44 E	41910	212	2010 DEC VEHICLE FUEL	MOTOR FUELS &	132816
CASPERSON MOTORS	101	1/13/2011	\$32.68 E	41910	412	OIL & FILTER - BLG. MAIN	REP & MAINT VE	
TR COMPUTER SALES LLC	101	2/2/2011	\$286.03 E	41910	416	COMPUTER CONSULTING	REPAIR/MAINT O	
MAILFINANCE	101	1/13/2011	\$56.85 E	41910	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	1/31/2011	\$116.22 E	41910	416	SONICWALL	REPAIR/MAINT O	
DEPT 41910 PLANNING & ZONING			\$12,187.12					
DEPT 41940 MUNICIPAL BUILDINGS								
SERVICEMASTER	101	1/26/2011	\$426.00 E	41940	302	EXTRACT & SCOTCHGAR	CONTRACT SERV	
SERVICEMASTER	101	1/13/2011	\$300.00 E	41940	302	2011 CLEANING SERVICE	CONTRACT SERV	
COMCAST	101	1/31/2011	\$34.95 E	41940	321	HIGHSPEED INTERNET-A	COMMUNICATION	
XCEL	101	2/1/2011	\$1,009.44 E	41940	380	ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
XCEL	101	2/1/2011	\$449.02 E	41940	381	ELECTRIC & GAS SERVIC	FUEL FOR HEAT	
1 GARAGE DOORS	101	1/26/2011	\$241.00 E	41940	420	GARAGE DOOR REPAIR/	R & M BLDGS, ST	
SUMMIT FIRE PROTECTION	101	1/26/2011	\$245.00 E	41940	420	ANNUAL FIRE SPRINKLE	R & M BLDGS, ST	
DEPT 41940 MUNICIPAL BUILDINGS			\$2,705.41					
DEPT 42100 POLICE								
	101	1/25/2011	\$2,449.64 E	42100	050	Labor Distribution	SEASONAL/PART	
	101	1/12/2011	\$941.74 E	42100	050	Labor Distribution	SEASONAL/PART	
	101	1/12/2011	\$7,392.49 E	42100	101	Labor Distribution	WAGES AND SAL	
	101	1/25/2011	\$12,498.23 E	42100	101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$79.72 E	42100	102	Labor Distribution	OVERTIME	
	101	1/25/2011	\$633.07 E	42100	102	Labor Distribution	OVERTIME	
	101	1/25/2011	\$183.96 E	42100	103	Labor Distribution	SPECIAL DUTIES	
	101	1/25/2011	\$2,183.12 E	42100	121	Labor Distribution	P E R A	
	101	1/12/2011	\$1,171.41 E	42100	121	Labor Distribution	P E R A	
	101	1/12/2011	\$19.84 E	42100	122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$42.62 E	42100	122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$504.41 E	42100	126	Labor Distribution	H S A	
	101	1/12/2011	\$504.41 E	42100	126	Labor Distribution	H S A	
	101	1/12/2011	\$1,330.57 E	42100	131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$1,026.82 E	42100	131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$227.41 E	42100	170	Labor Distribution	MEDICARE	
	101	1/12/2011	\$120.82 E	42100	170	Labor Distribution	MEDICARE	
U S BANK VISA	101	1/27/2011	\$11.23 E	42100	201	WAL-MART	OFFICE SUPPLIE	132866
U S BANK VISA	101	1/27/2011	\$86.03 E	42100	201	OFFICE MAX	OFFICE SUPPLIE	132866
UNIFORMS UNLIMITED	101	2/1/2011	\$85.49 E	42100	202	BAG-Z LUND/POLICE	UNIFORMS - MIS	
DAVIS & STANTON	101	1/4/2011	\$25.00 E	42100	202	UNIFORM COMMENDATIO	UNIFORMS - MIS	132807
U S BANK VISA	101	1/27/2011	\$25.00 E	42100	202	DAVIS STANTON	UNIFORMS - MIS	132866
UNIFORMS UNLIMITED	101	1/20/2011	\$117.55 E	42100	209	FLASHLIGHT/WILLMARTH	UNIFORMS - WILL	
STREICHERS	101	1/26/2011	\$34.99 E	42100	209	OPERATING SUPPLIES/P	UNIFORMS - WILL	
UNIFORMS UNLIMITED	101	2/1/2011	\$173.67 E	42100	211	OPERATING SUPPLIES-D	UNIFORMS -WYNI	
HOLIDAY FLEET	101	1/6/2011	\$7.49 E	42100	212	2010 DEC VEHICLE FUEL	MOTOR FUELS &	132816
U S BANK VISA	101	1/27/2011	\$64.35 E	42100	220	BEST BUY	OPERATING SUP	132866
EASTMAN, LAURA	101	1/25/2011	\$32.00 E	42100	306	TITLE FOR 2011 TAHOE R	PROF SER-OTHE	132861
DVS RENEWAL	101	1/25/2011	\$106.25 E	42100	306	2004 FORD/2011 POLICE	PROF SER-OTHE	
MCPA	101	1/4/2011	\$45.00 E	42100	391	2011 MEMBERSHIP	SHARED AUTOM	132810
USPCA SDT	101	1/13/2011	\$60.00 E	42100	403	2011 REGION 18 DETECT	POLICE TRAININ	

CITY OF BAYPORT

02/03/11 10:07 AM

Page 3

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	Amount	A ct	DEPT	OBJ	Comments	OBJ Descr	Check Nbr
UNITED STATES POLICE CA	101	1/13/2011	\$40.00	E	42100	403	REGION 18 MEMBERSHIP	POLICE TRAININ	
AMERICAN RED CROSS	101	1/20/2011	\$42.00	E	42100	403	ADULT FA&CPR/AED - PO	POLICE TRAININ	
U S BANK VISA	101	1/27/2011	\$6.96	E	42100	403	HOLIDAY STATION	POLICE TRAININ	132866
WYNIA, DAVID	101	1/12/2011	\$47.10	E	42100	403	RESERVE ACAD- POLICE	POLICE TRAININ	132832
U S BANK VISA	101	1/27/2011	\$55.71	E	42100	403	SUBWAY	POLICE TRAININ	132866
STREICHERS	101	1/26/2011	\$1,736.63	E	42100	403	OPERATING SUPPLIES/P	POLICE TRAININ	
CENTURY AVENUE COLLISI	101	1/26/2011	\$427.36	E	42100	412	REPAIR -FORD FOCUS/P	REP & MAINT VE	
CASPERSON MOTORS	101	2/1/2011	\$183.36	E	42100	412	2404 POLICE /BATTERY	REP & MAINT VE	
CASPERSON MOTORS	101	2/1/2011	\$32.68	E	42100	412	2901 POLICE/OIL & FILTE	REP & MAINT VE	
CASPERSON MOTORS	101	2/1/2011	\$32.68	E	42100	412	2201 POLICE/OIL & FILTE	REP & MAINT VE	
CASPERSON MOTORS	101	2/1/2011	\$32.68	E	42100	412	2902 POLICE/OIL & FILTE	REP & MAINT VE	
CASPERSON MOTORS	101	2/1/2011	\$62.52	E	42100	412	2502 POLICE /BULB	REP & MAINT VE	
TR COMPUTER SALES LLC	101	2/2/2011	\$286.03	E	42100	416	COMPUTER CONSULTING	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	1/31/2011	\$116.22	E	42100	416	SONICWALL	REPAIR/MAINT O	
MAILFINANCE	101	1/13/2011	\$56.85	E	42100	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
DEPT 42100 POLICE			\$35,343.11						
DEPT 42200 FIRE PROTECTION									
	101	1/6/2011	\$1,260.33	E	42200	101	Labor Distribution	WAGES AND SAL	
	101	1/6/2011	\$24,346.00	E	42200	105	Labor Distribution	FIRE RUNS,DRILL	
	101	1/6/2011	\$1,554.01	E	42200	122	Labor Distribution	CONT TO RET., S	
	101	1/6/2011	\$363.47	E	42200	170	Labor Distribution	MEDICARE	
HOLIDAY FLEET	101	1/6/2011	\$674.62	E	42200	212	2010 DEC VEHICLE FUEL	MOTOR FUELS &	132816
STILLWATER MEDICAL GRO	101	2/2/2011	\$98.07	E	42200	306	FIRE DEPT.	PROF SER-OTHE	
PHYSIO-CONTROL CORPOR	101	1/13/2011	\$540.96	E	42200	306	ANNUAL MAINT. 1/1/11-12/	PROF SER-OTHE	
NEXTEL COMMUNICATIONS	101	2/2/2011	\$194.72	E	42200	321	PHONES - FIRE DEPT.	COMMUNICATION	132870
XCEL	101	2/1/2011	\$386.44	E	42200	380	ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
XCEL	101	2/1/2011	\$848.04	E	42200	381	ELECTRIC & GAS SERVIC	FUEL FOR HEAT	
EISINGER, JAKE	101	2/2/2011	\$295.00	E	42200	402	BLUE CARD TRAINING/FI	CONFERENCES &	132872
JR TRANSMISSIONS	101	2/2/2011	\$104.00	E	42200	419	04 FORD - FIRE DEPT.	REPAIR & MAINT	
T. R. F. SUPPLY	101	1/13/2011	\$202.10	E	42200	420	SUPPLIES - FIRE DEPT.	R & M BLDGS, ST	
SUMMIT FIRE PROTECTION	101	2/2/2011	\$245.00	E	42200	420	ANNUAL FIRE SPRINKLE	R & M BLDGS, ST	
WASHINGTON CO FIRE CHIE	101	1/13/2011	\$50.00	E	42200	433	2011 MEMBERSHIP DUE -	DUES & MEMBER	
CAPITOL CITY	101	1/13/2011	\$50.00	E	42200	433	2011 DUES INVOICE #11/1	DUES & MEMBER	
ANCOM COMMUNICATIONS I	101	2/2/2011	\$2,852.78	E	42200	530	5 PAGERS - FIRE DEPT.	CAPITAL OUTLAY	
DEPT 42200 FIRE PROTECTION			\$34,065.54						
DEPT 43100 STREET MAINT									
	101	1/25/2011	\$1,922.40	E	43100	101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$982.40	E	43100	101	Labor Distribution	WAGES AND SAL	
	101	1/12/2011	\$351.90	E	43100	102	Labor Distribution	OVERTIME	
	101	1/25/2011	\$1,457.55	E	43100	102	Labor Distribution	OVERTIME	
	101	1/25/2011	\$245.06	E	43100	121	Labor Distribution	P E R A	
	101	1/12/2011	\$96.75	E	43100	121	Labor Distribution	P E R A	
	101	1/25/2011	\$208.14	E	43100	122	Labor Distribution	CONT TO RET., S	
	101	1/12/2011	\$81.25	E	43100	122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$141.62	E	43100	126	Labor Distribution	H S A	
	101	1/12/2011	\$145.45	E	43100	126	Labor Distribution	H S A	
	101	1/12/2011	\$291.24	E	43100	131	Labor Distribution	CONT TO EMPLO	
	101	1/25/2011	\$255.71	E	43100	131	Labor Distribution	CONT TO EMPLO	
	101	1/12/2011	\$19.01	E	43100	170	Labor Distribution	MEDICARE	
	101	1/25/2011	\$48.67	E	43100	170	Labor Distribution	MEDICARE	
EISINGER, JOSH	101	1/25/2011	\$104.50	E	43100	205	UNIFORM ALLOWANCE/P	UNIFORMS - JOS	132862
HOLIDAY FLEET	101	1/6/2011	\$2,304.68	E	43100	212	2010 DEC VEHICLE FUEL	MOTOR FUELS &	132816
ECONO SIGNS	101	1/13/2011	\$233.17	E	43100	220	ICE ROAD SIGNAGE	OPERATING SUP	
GRAINGER	101	1/25/2011	\$73.76	E	43100	220	EAR PROTECTION	OPERATING SUP	
AGGREGATE INDUSTRIES	101	1/25/2011	\$67.06	E	43100	225	ROAD SAND	SALT & SAND PU	
CARQUEST AUTO PARTS	101	1/25/2011	\$9.14	E	43100	412	LIGHT BULB	REP & MAINT VE	
ZIEGLER INC.	101	1/13/2011	\$573.78	E	43100	412	BATTERIES - LOADER	REP & MAINT VE	
ZIEGLER INC.	101	1/13/2011	\$1.62	E	43100	412	LOADER PARTS	REP & MAINT VE	

CITY OF BAYPORT

02/03/11 10:07 AM

Page 4

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	A Amount ct	DEPT	OBJ	Comments	OBJ Descr	Check Nbr
ZIEGLER INC.	101	1/25/2011	\$216.26 E	43100	412	HOSE-CAT LOADER	REP & MAINT VE	
TRI STATE BOBCAT INC	101	1/25/2011	\$438.55 E	43100	412	SERVICE/TOOL CAT	REP & MAINT VE	
CARQUEST AUTO PARTS	101	1/25/2011	\$31.37 E	43100	412	HYDRAULIC HOSE	REP & MAINT VE	
ZIEGLER INC.	101	2/2/2011	\$216.26 E	43100	412	HYDRAULIC HOSE - CAT	REP & MAINT VE	
ZIEGLER INC.	101	2/2/2011	\$362.56 E	43100	412	SERVICE - 2007 STERLIN	REP & MAINT VE	
LITTLE FALLS MACHINE INC	101	2/2/2011	\$140.32 E	43100	412	BELLY PLOW LEG	REP & MAINT VE	
CARQUEST AUTO PARTS	101	1/25/2011	\$10.11 E	43100	412	THERMOSTAT/TANKER	REP & MAINT VE	
MAILFINANCE	101	1/13/2011	\$11.37 E	43100	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	2/2/2011	\$57.20 E	43100	416	COMPUTER CONSULTING	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	1/31/2011	\$23.24 E	43100	416	SONICWALL	REPAIR/MAINT O	
DEPT 43100 STREET MAINT			\$11,122.10					
DEPT 43160 STREET LIGHTING								
XCEL	101	2/1/2011	\$2,422.27 E	43160	380	ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
DEPT 43200 PARKS								
	101	1/12/2011	\$318.00 E	43200	050	Labor Distribution	SEASONAL/PART	
	101	1/25/2011	\$642.75 E	43200	050	Labor Distribution	SEASONAL/PART	
WILMES, JUSTIN	101	1/25/2011	\$48.00 E	43200	050	JAN 2011 WARMING HOU	SEASONAL/PART	132865
	101	1/25/2011	\$39.85 E	43200	122	Labor Distribution	CONT TO RET., S	
	101	1/12/2011	\$19.72 E	43200	122	Labor Distribution	CONT TO RET., S	
	101	1/25/2011	\$9.32 E	43200	170	Labor Distribution	MEDICARE	
	101	1/12/2011	\$4.62 E	43200	170	Labor Distribution	MEDICARE	
TRI STATE BOBCAT INC	101	1/25/2011	\$34.02 E	43200	412	RELAY-BOBCAT	REP & MAINT VE	
TRI STATE BOBCAT INC	101	2/2/2011	\$184.83 E	43200	412	CUTTING EDGE - BOBCA	REP & MAINT VE	
TRI STATE BOBCAT INC	101	1/25/2011	\$438.55 E	43200	412	SERVICE/TOOL CAT	REP & MAINT VE	
MAILFINANCE	101	1/13/2011	\$11.37 E	43200	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	1/31/2011	\$23.24 E	43200	416	SONICWALL	REPAIR/MAINT O	
TR COMPUTER SALES LLC	101	2/2/2011	\$57.20 E	43200	416	COMPUTER CONSULTING	REPAIR/MAINT O	
MENARDS-STILLWATER	101	1/25/2011	\$22.05 E	43200	420	HARDWARE/SKATING RI	R & M BLDGS, ST	
AIR FRESH PORTABLE TOIL	101	2/2/2011	\$84.36 E	43200	425	MTHY RENTAL 1/23/11-2/1	SATILLITIES	
DEPT 43200 PARKS			\$1,937.88					
FUND 101 GENERAL			\$119,210.99					
FUND 102 STREET RECONSTRUCTION								
DEPT 41605 INFLOW/INFILTRATION								
S E H	102	1/26/2011	\$3,377.26 E	41605	301	2010 I/I IMPROVEMENTS	PROF SER-ENGIN	
FUND 202 DRUG FORFEITURE								
DEPT 42101 DARE EXPENDITURES								
ECKBERG, LAMMERS, BRIG	202	1/13/2011	\$53.73 E	42101	449	ICR # 109501337	DRUG FORFITUR	
ECKBERG, LAMMERS, BRIG	202	1/13/2011	\$375.00 E	42101	449	ICR # 106500751	DRUG FORFITUR	
PUBLIC SAFETY WAREHOUS	202	1/20/2011	\$558.00 E	42101	449	K-9/POLICE VEHICLE SET	DRUG FORFITUR	
DEPT 42101 DARE EXPENDITURES			\$986.73					
FUND 202 DRUG FORFEITURE			\$986.73					
FUND 204 RECREATION CAP EQUIP & MAINT								
DEPT 41900 CAPITAL IMPROVEMENTS								
GIRL SCOUT TROOP 50515	204	1/27/2011	\$463.29 E	41900	560	BENCH PROJECT	UNALLOCATED C	

CITY OF BAYPORT

02/03/11 10:07 AM

Page 5

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	Amount	A ct	DEPT OBJ	Comments	OBJ Descr	Check Nbr
<b>FUND 211 LIBRARY</b>								
<b>DEPT 45500 LIBRARY</b>								
	211	1/25/2011	\$2,708.15	E	45500	050 Labor Distribution	SEASONAL/PART	
	211	1/12/2011	\$1,500.84	E	45500	050 Labor Distribution	SEASONAL/PART	
	211	1/12/2011	\$1,551.86	E	45500	101 Labor Distribution	WAGES AND SAL	
	211	1/25/2011	\$3,103.72	E	45500	101 Labor Distribution	WAGES AND SAL	
	211	1/25/2011	\$386.99	E	45500	121 Labor Distribution	P E R A	
	211	1/12/2011	\$212.08	E	45500	121 Labor Distribution	P E R A	
	211	1/25/2011	\$354.13	E	45500	122 Labor Distribution	CONT TO RET., S	
	211	1/12/2011	\$183.07	E	45500	122 Labor Distribution	CONT TO RET., S	
	211	1/25/2011	\$39.55	E	45500	131 Labor Distribution	CONT TO EMPLO	
	211	1/12/2011	\$106.00	E	45500	131 Labor Distribution	CONT TO EMPLO	
	211	1/12/2011	\$42.81	E	45500	170 Labor Distribution	MEDICARE	
	211	1/25/2011	\$82.81	E	45500	170 Labor Distribution	MEDICARE	
INNOVATIVE OFFICE SOLUTI	211	2/1/2011	\$12.86	E	45500	201 SUPPLIES-LIBRARY	OFFICE SUPPLIE	
DEMCO	211	1/26/2011	\$16.52	E	45500	220 OPERATING SUPPLIES/LI	OPERATING SUP	
INNOVATIVE OFFICE SOLUTI	211	2/1/2011	\$101.98	E	45500	220 SUPPLIES-LIBRARY	OPERATING SUP	
SHARON SIPPEL	211	2/1/2011	\$1,425.00	E	45500	302 CLEANING SERVICES/LIB	CONTRACT SERV	
COMCAST	211	2/1/2011	\$5.00	E	45500	321 LIBRARY HIGHSPEED INT	COMMUNICATION	
WASHINGTON COUNTY LIBR	211	2/1/2011	\$141.43	E	45500	321 QWEST DATA JAN 2011/LI	COMMUNICATION	
XCEL	211	2/1/2011	\$998.78	E	45500	380 ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
XCEL	211	2/1/2011	\$780.71	E	45500	381 ELECTRIC & GAS SERVIC	FUEL FOR HEAT	
TOSHIBA BUSINESS SOLUTI	211	1/26/2011	\$21.43	E	45500	416 BAND/LIBRARY	REPAIR/MAINT O	
ST. CLAIRE DESIGN STUDIO	211	1/26/2011	\$95.00	E	45500	420 VINYL LETTERING/LIBRA	R & M BLDGS, ST	
<b>DEPT 45500 LIBRARY</b>			<b>\$13,870.72</b>					
<b>FUND 211 LIBRARY</b>			<b>\$13,870.72</b>					
<b>FUND 413 POLICE EQUIPMENT FUND</b>								
<b>DEPT 41900 CAPITAL IMPROVEMENTS</b>								
GRAFIX SHOPPE	413	2/2/2011	\$1,115.00	E	41900	412 2011 TAHOE	REP & MAINT VE	
EMERGENCY AUTOMOTIVE	413	2/3/2011	\$3,464.12	E	41900	412 TRANSFER FROM DURAN	REP & MAINT VE	
<b>DEPT 41900 CAPITAL IMPROVEMENTS</b>			<b>\$4,579.12</b>					
<b>DEPT 42100 POLICE</b>								
RANGER GM	413	1/3/2011	\$31,348.54	E	42100	550 2011 CHEV TAHOE	MOTOR VEHICLE	132813
<b>FUND 413 POLICE EQUIPMENT FUND</b>			<b>\$35,927.66</b>					
<b>FUND 414 OFFICE AUTOMATION</b>								
<b>DEPT 00000 GENERAL GOVERNMENT</b>								
TR COMPUTER SALES LLC	414	1/4/2011	\$968.25	E	00000	416 INSTALL PC & MONITOR	REPAIR/MAINT O	132814
TR COMPUTER SALES LLC	414	1/4/2011	\$2,667.59	E	00000	416 NEW PC, MONITOR & NO	REPAIR/MAINT O	132814
TR COMPUTER SALES LLC	414	1/4/2011	\$30.99	E	00000	416 KEYBOARD - FOR LAPTO	REPAIR/MAINT O	132814
<b>DEPT 00000 GENERAL GOVERNMENT</b>			<b>\$3,666.83</b>					
<b>FUND 414 OFFICE AUTOMATION</b>			<b>\$3,666.83</b>					
<b>FUND 601 WATER</b>								
<b>DEPT 46110 WATER-PUMPHOUSE</b>								
XCEL	601	2/1/2011	\$1,655.96	E	46110	380 ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
XCEL	601	2/1/2011	\$290.39	E	46110	381 ELECTRIC & GAS SERVIC	FUEL FOR HEAT	
<b>DEPT 46110 WATER-PUMPHOUSE</b>			<b>\$1,946.35</b>					

CITY OF BAYPORT

02/03/11 10:07 AM

Page 6

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	A Amount ct	DEPT	OBJ	Comments	OBJ Descr	Check Nbr
<b>DEPT 46120 WATER</b>								
	601	1/12/2011	\$2,145.07 E	46120	101	Labor Distribution	WAGES AND SAL	
	601	1/25/2011	\$4,189.96 E	46120	101	Labor Distribution	WAGES AND SAL	
	601	1/12/2011	\$155.53 E	46120	121	Labor Distribution	P E R A	
	601	1/25/2011	\$303.80 E	46120	121	Labor Distribution	P E R A	
	601	1/12/2011	\$124.83 E	46120	122	Labor Distribution	CONT TO RET., S	
	601	1/25/2011	\$251.59 E	46120	122	Labor Distribution	CONT TO RET., S	
	601	1/12/2011	\$195.62 E	46120	126	Labor Distribution	H S A	
	601	1/25/2011	\$197.12 E	46120	126	Labor Distribution	H S A	
	601	1/12/2011	\$518.98 E	46120	131	Labor Distribution	CONT TO EMPLO	
	601	1/25/2011	\$406.65 E	46120	131	Labor Distribution	CONT TO EMPLO	
	601	1/12/2011	\$29.19 E	46120	170	Labor Distribution	MEDICARE	
	601	1/25/2011	\$58.86 E	46120	170	Labor Distribution	MEDICARE	
HOLIDAY FLEET	601	1/6/2011	\$574.79 E	46120	212	2010 DEC VEHICLE FUEL	MOTOR FUELS &	132816
HAWKINS WATER	601	2/2/2011	\$78.86 E	46120	216	WATER TESTING-WATER	CHEMICALS AND	
HAWKINS WATER	601	1/25/2011	\$5,582.28 E	46120	216	WATER TREATMENT	CHEMICALS AND	
HAWKINS WATER	601	1/13/2011	\$78.86 E	46120	216	WATER TESTING	CHEMICALS AND	
U S BANK VISA	601	2/2/2011	\$12.55 E	46120	216	THE UPS STORE	CHEMICALS AND	132871
U S BANK VISA	601	2/2/2011	\$2.24 E	46120	216	USPS	CHEMICALS AND	132871
BANYON DATA SYSTEMS	601	1/27/2011	\$390.30 E	46120	302	WINUB SUPPORT	CONTRACT SERV	
STILLWATER MEDICAL GRO	601	1/25/2011	\$111.00 E	46120	302	RANDOM SCREENING	CONTRACT SERV	
COMCAST	601	1/13/2011	\$59.95 E	46120	321		COMMUNICATION	
XCEL	601	2/1/2011	\$1,218.41 E	46120	380	ELECTRIC & GAS SERVIC	ELECTRIC SERVI	
XCEL	601	2/1/2011	\$1,915.00 E	46120	381	ELECTRIC & GAS SERVIC	FUEL FOR HEAT	
U S BANK VISA	601	2/2/2011	\$96.41 E	46120	412	JR TRANSMISSION	REP & MAINT VE	132871
TR COMPUTER SALES LLC	601	2/2/2011	\$57.20 E	46120	416	COMPUTER CONSULTING	REPAIR/MAINT O	
TR COMPUTER SALES LLC	601	1/31/2011	\$23.24 E	46120	416	SONICWALL	REPAIR/MAINT O	
MAILFINANCE	601	1/13/2011	\$11.37 E	46120	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
HENRYS WATERWORKS, IN	601	2/2/2011	\$74.68 E	46120	419	SERVICE SADDLE/WATE	REPAIR & MAINT	
WASHINGTON COUNTY PUB	601	2/2/2011	\$35.00 E	46120	419	PAINT THINNER DISPOSA	REPAIR & MAINT	
SUMMIT FIRE PROTECTION	601	2/2/2011	\$265.00 E	46120	419	ANNUAL FIRE INSPECTIO	REPAIR & MAINT	
WEBER & TROSETH, INC.	601	2/2/2011	\$418.93 E	46120	419	GATE VALVE	REPAIR & MAINT	
HENRYS WATERWORKS, IN	601	1/25/2011	\$168.96 E	46120	419	WATER DEPT.	REPAIR & MAINT	
MINNESOTA RURAL WATER	601	1/13/2011	\$200.00 E	46120	433	MEMBERSHIP 2/11-2/12 W	DUES & MEMBER	
<b>DEPT 46120 WATER</b>			<b>\$19,952.23</b>					
<b>FUND 601 WATER</b>			<b>\$21,898.58</b>					
<b>FUND 602 SEWER</b>								
<b>DEPT 46200 SEWER - OPERATING</b>								
	602	1/12/2011	\$2,135.05 E	46200	101	Labor Distribution	WAGES AND SAL	
	602	1/25/2011	\$4,189.96 E	46200	101	Labor Distribution	WAGES AND SAL	
	602	1/12/2011	\$154.74 E	46200	121	Labor Distribution	P E R A	
	602	1/25/2011	\$303.70 E	46200	121	Labor Distribution	P E R A	
	602	1/25/2011	\$251.56 E	46200	122	Labor Distribution	CONT TO RET., S	
	602	1/12/2011	\$124.21 E	46200	122	Labor Distribution	CONT TO RET., S	
	602	1/25/2011	\$197.08 E	46200	126	Labor Distribution	H S A	
	602	1/12/2011	\$194.75 E	46200	126	Labor Distribution	H S A	
	602	1/25/2011	\$406.56 E	46200	131	Labor Distribution	CONT TO EMPLO	
	602	1/12/2011	\$516.14 E	46200	131	Labor Distribution	CONT TO EMPLO	
	602	1/25/2011	\$58.83 E	46200	170	Labor Distribution	MEDICARE	
	602	1/12/2011	\$29.02 E	46200	170	Labor Distribution	MEDICARE	
BANYON DATA SYSTEMS	602	1/27/2011	\$390.30 E	46200	302	WINUB SUPPORT	CONTRACT SERV	
TR COMPUTER SALES LLC	602	1/31/2011	\$23.28 E	46200	416	SONICWALL	REPAIR/MAINT O	
MAILFINANCE	602	1/13/2011	\$11.37 E	46200	416	LEASE PMT. POSTAL MA	REPAIR/MAINT O	
TR COMPUTER SALES LLC	602	2/2/2011	\$57.24 E	46200	416	COMPUTER CONSULTING	REPAIR/MAINT O	
J H LARSON CO	602	1/13/2011	\$3.25 E	46200	420	MED BASE LIGHT - SEWE	R & M BLDGS, ST	
<b>DEPT 46200 SEWER - OPERATING</b>			<b>\$9,047.04</b>					
<b>DEPT 46990 SEWER - NON-OPERATING</b>								

CITY OF BAYPORT

02/03/11 10:07 AM

Page 7

MONTHLY EXPENSES

Period Name: JANUARY

Search Name	FUN	Tran Date	Amount	A ct	DEPT OBJ	Comments	OBJ Descr	Check Nbr
METROPOLITAN COUNCIL (S	602	1/4/2011	\$31,010.92	E	46990	434 MTHLY ANNUAL FLOW C	STATE FEES FOR	132811
METROPOLITAN COUNCIL (S	602	1/13/2011	\$31,010.92	E	46990	434 MTHLY ANNUAL FLOW	STATE FEES FOR	
DEPT 46990 SEWER - NON-OPERATING			\$62,021.84					
FUND 602 SEWER			\$71,068.88					
			\$270,470.94					

## City of Bayport

294 North 3rd Street

Bayport, MN 55003

Phone: 651-275-4404

Fax: 651-275-4411

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### Building Permit Log

For: January, 2011

Printed:2/1/2011

Page1 of 2

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<b>Permit Number:</b> MC2011-1	<b>Filing Date:</b> 1/6/2011
<b>Parcel Address:</b> 1201 PIONEER TRAIL	BAYPORT, MN 55003
<b>Applicant:</b> AUTOMATIC GARAGE DOOR & AUTOMATIC GARAGE DOOR & FIREPLACES, INC.	<b>Applicant Phone:</b> 763-571-2525
<b>Construction Value:</b> \$900.00	<b>Total Fees:</b> \$80.00

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<b>Permit Number:</b> MC2011-2	<b>Filing Date:</b> 1/11/2011
<b>Parcel Address:</b> 496 7TH STREET NORTH	BAYPORT, MN 55003
<b>Applicant:</b> PMR MECHANICAL, INC. PMR MECHANICAL, INC. MECHANICAL	<b>Applicant Phone:</b> 952-891-4441
<b>Construction Value:</b> \$4,220.00	<b>Total Fees:</b> \$80.00

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<b>Permit Number:</b> MC2011-3	<b>Filing Date:</b> 1/19/2011
<b>Parcel Address:</b> 927 INSPIRATION PARKWAY S.	BAYPORT, MN 55003
<b>Applicant:</b> FIRESIDE HEARTH & HOME FIRESIDE HEARTH & HOME TECHNOLOGIES, INC.	<b>Applicant Phone:</b> 651-633-1042
<b>Construction Value:</b> \$2,000.00	<b>Total Fees:</b> \$80.00

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<b>Permit Number:</b> MC2011-4	<b>Filing Date:</b> 1/26/2011
<b>Parcel Address:</b> 927 INSPIRATION PARKWAY S.	BAYPORT, MN 55003
<b>Applicant:</b> ANDERSON HEATING, INC. ANDERSON HEATING, INC. MECHANICAL	<b>Applicant Phone:</b> 715-549-6297
<b>Construction Value:</b> \$12,471.00	<b>Total Fees:</b> \$80.00

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<b>Permit Number:</b> PL2011-1	<b>Filing Date:</b> 1/12/2011
<b>Parcel Address:</b> 927 INSPIRATION PARKWAY S.	BAYPORT, MN 55003
<b>Applicant:</b> C & N PLUMBING INC. C & N PLUMBING INC. Plumber	<b>Applicant Phone:</b> 952-808-2635
<b>Construction Value:</b> \$17,000.00	<b>Total Fees:</b> \$80.00

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**Building Permit Log**

For: January, 2011

Printed:2/1/2011

Page2 of 2

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**Permit Number:** PL2011-2**Filing Date:** 1/11/2011**Parcel Address:** 3915 PARADISE Avenue N.

Stillwater, MN 55082

**Applicant:** BOHN WELL DRILLING COMPANY**Applicant Phone:** 952-445-4809

BOHN WELL DRILLING COMPANY SEWER &amp; WATER

**Construction Value:****Total Fees:** \$1,430.00

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**Permit Number:** PL2011-3**Filing Date:** 1/25/2011**Parcel Address:** 3542 OSGOOD CIRCLE NORTH

STILLWATER, MN 55082

**Applicant:** YOUNGFIELD HOMES**Applicant Phone:** 952-469-4066

JECHE EXCAVATING, LLC SEWER &amp; WATER

**Construction Value:****Total Fees:** \$1,430.00

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**CITY OF BAYPORT**  
**294 NORTH THIRD STREET**  
**BAYPORT, MINNESOTA 55003**  
**PHONE 651-275-4404 FAX 651-275-4411**

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**Date:** January 4, 2011

**To:** Mayor and City Council  
Mitch Berg, City Administrator

**From:** Chief of Police Laura Eastman

**Subject:** Joint powers agreement with Washington County Sheriff's Office for state fuel contract

### ***BACKGROUND***

As you know in 2010 the Bayport Police Department entered into a joint power agreement (JPA) with Washington County Sheriff's Office (WCSO) to purchase fuel from their agency. This agreement saved the city approximately \$1,000 last year. At this time, I'm requesting to renew that agreement.

The 2011 agreement is as follows, WCSO will purchase a fixed amount of fuel from Yocum Oil and in return WCSO agrees to sell fuel to the Bayport Police Department for a set cost of \$ 2.47 plus tax and fees per gallon.

### ***RECOMMENDATION***

Staff recommends the City Council allow the Police Department to enter into this JPA and procure fuel from Washington County Sheriff's Office.

**JOINT POWERS AGREEMENT BETWEEN THE WASHINGTON COUNTY SHERIFF'S  
OFFICE AND THE CITY OF BAYPORT'S POLICE DEPARTMENT**

**THIS AGREEMENT** is made by and between political subdivisions organized and existing under the Constitution and laws of the State of Minnesota. Washington County a political subdivision by and through its Sheriff's Office (hereinafter "Provider") and the City of Bayport Minnesota, a municipal corporation, by and through its City Police Department (hereinafter referred to as the "City") are the parties to this agreement.

**WHEREAS**, Minnesota Statutes Section 471.59 provides that two or more governmental units may by Agreement jointly exercise any power common to the contracting parties.

**WHEREAS**, the Provider has entered into a Minnesota State Fuel contract February 01, 2011 through January 31, 2012- Yocum Oil contract 442612 – 2011 Fixed Fuel Program for Metro participants, whereby the Provider has agreed to purchase through a cooperative purchasing agreement, a total of 184,400 gallons -87 octane gasoline from February 1, 2011 through January 31, 2012. Specifically, 13,200 gallons per month for the months of February, March, October, November, December and January 2012, and 17,200 gallons per month for the months of April, May, June, July, August, and September were purchased.

**WHEREAS**, the Provider provides law enforcement services including but not limited to the patrol and rescue operations that utilizes squad cars, SUVs, boats, hovercrafts, snowmobiles, ATVs and assorted gasoline run equipment pursuant to the police powers and law enforcement authority granted under the laws of the State of Minnesota as a law enforcement agency.

**WHEREAS**, the City is in need of procuring 525 gallons of 87 octane gasoline per month to operate its squad cars and SUVs to provide law enforcement services pursuant to the police powers and law enforcement authority granted under the laws of the State of Minnesota as a law enforcement agency.

**WHEREAS**, at the request of the City, the Provider is willing to provide gasoline to the extent as identified in this Agreement to the City to assist the City with law enforcement services.

**NOW THEREFORE**, pursuant to the authority contained in Minnesota Statute Section 471.59. commonly known as the Joint Powers Act which authorizes two or more governmental units to jointly exercise any power common to them and /or Minnesota Statutes Sections 626.76 and in consideration of the mutual covenant herein contain and the benefits that each party hereto shall derive hereby the Provider and City agree to the following terms and conditions:

## **CITY'S RESPONSIBILITIES**

1. When needed for the City's daily operation of squad cars and SUVs, the City may have access to the Provider's gasoline pumps located at the LEC 15015 62<sup>nd</sup> Street, Stillwater MN.
2. The City's access to Providers gasoline pumps shall be through electronic access issued to each squad and officer that is employed by the City.
3. Any City law enforcement officer acting under this agreement is considered to be acting in the ordinary course of his or her employment with the City.
4. Any City law enforcement officer acting under this agreement shall continue to be covered by his or her employment agency for the purpose of worker's compensation, unemployment insurance, disability and any other employee benefits and for civil liability purposes.
5. No City law enforcement officer acting under this agreement may be considered for liability purposes as an employee of Provider or agent of Provider, for his or her actions regardless of the supervision or control over the officer's actions.

## **PROVIDER'S RESPONSIBILITIES**

1. The Provider will purchase a total of up to 184,400 gallons -87 octane gasoline from February 2011 through January 31, 2012. Specifically, up to 13,200 gallons per month for the months of February, March, October, November, December and January 2012, and 17,200 gallons per month for the months of April, May, June, July, August, and September 2011.
2. Provider agrees that it will make available the amount of gasoline deemed necessary by the City for the City's law enforcement usage at its pumps located at the LEC located at 15015 62<sup>nd</sup> Street, Stillwater MN.
3. The Provider will notify the City if there is any interruption in availability of gasoline at the LEC pumps as reasonably soon as the Provider becomes aware and for what duration of time. During any time of interruption the City is responsible to find and pay for its own gasoline until such time that the availability of gasoline is restored at the pumps located at the LEC.
4. The cost of gasoline to the City will be at the Provider's rate of \$2.4758 plus tax and fees per gallon at the city's committed allotment, unless the total monthly gasoline usage is more than the Provider's purchased monthly amount of gasoline as stated in paragraph 1 of this section.

5. If the total monthly usage of gasoline is greater than the Provider's purchased monthly amount of 525 gallons and the Provider obtains additional gasoline at a rate higher than \$2.4758 per gallon, the City will be responsible for reimbursing the Provider at the higher rate charged to the Provider per gallon up to the amount of gasoline used by the City.

## **TERM OF AGREEMENT**

The term of this agreement shall be from February 1st, 2011 through January 31, 2012, the date of the signature of the parties notwithstanding, unless earlier terminated as provided herein.

## **PAYMENT**

The City shall pay the Provider within 30 days of being invoiced for the City's gasoline usage.

## **INDEPENDENT CONTRACTOR**

It will be agreed that nothing within the contract is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the parties or as constituting the City as the agent, representative, or employee of the Provider for any purpose or in any manner whatsoever.

## **ASSIGNMENT**

The City shall not assign any services contemplated under this agreement.

## **INDEMNIFICATION**

The City agrees it will defend, indemnify and hold harmless the Provider, its officers and employees against any and all liability, loss, costs, damages, and expenses which the Provider, its officers, or employees may hereafter sustain, incur, or be required to pay arising out of the negligent or willful acts or omissions of the City in the performance of this agreement.

## **INSURANCE REQUIREMENTS**

The City agrees that in order to protect itself, as well as the Provider, under the indemnity provisions set forth above, it will at all times during the term of this Agreement, keep in force the following insurance protection in the limits specified:

1. Maintain membership and participation in the Minnesota League of Cities Trust or Commercial General liability Insurance with contractual liability coverage in the amount of the City's and Provider's tort liability limits set forth in Minnesota Statute Section 466.04 and as amended from time to time.
2. Automobile coverage in the amount of the City's and Provider's tort liability limits set forth in Minnesota Statute Section 466.04 and as amended from time to time.
3. Worker's Compensation in statutory amount.

Prior to the effective date of this Agreement, the City will furnish the Provider, with certificates of insurance as proof of insurance. This provision shall be set as a condition subsequent; failure to abide by this provision shall be deemed a substantial breach of contract.

Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without thirty days notice thereof to the Provider.

**DATA PRACTICES**

All data collected, created, received, maintained, or disseminated for any purposes by the activities of the contractor, because of this agreement, is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such Act now in force or as adopted, as well as federal regulations on data privacy.

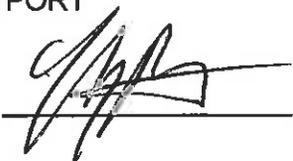
**TERMINATION**

Provider may cancel this Agreement with or without cause at any time upon giving a 30 days written notice to the Bayport City Police Chief, City Administrator or designee. The City may cancel this Agreement with or without cause at anytime upon giving a 30 days notice to the Washington County Sheriff or designee. Upon termination of this Agreement the City agrees to pay the remaining balance of committed fuel for the contract period.

WASHINGTON COUNTY

BAYPORT

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
County Board Chair

BY:  DATE: 1/4/2011

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
County Administrator

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Sheriff

Approved to as form:

  
01-03-2011

Asst County Attorney



**CITY OF BAYPORT**  
**294 NORTH THIRD STREET**  
**BAYPORT, MINNESOTA 55003**  
**PHONE 651-275-4404 FAX 651-275-4411**

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Date: January 25, 2011  
To: Mayor and Council  
From: Mitchell Berg, City Administrator  
RE: LMC Liability Insurance Waiver

***BACKGROUND***

Each year, the City is asked to choose whether or not it will waive or not waive the monetary limits on municipal tort liability established by Minnesota Statutes. In the past, the City has chosen not to waive the monetary limits.

***RECOMMENDATION***

Staff recommends the City Council adopt a motion not waiving the monetary limits on municipal tort liability.

**SECTION I: LIABILITY COVERAGE WAIVER FORM**

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.
- *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

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\_\_\_\_\_ accepts liability coverage limits of \$\_\_\_\_\_ from the League of Minnesota Cities Insurance Trust (LMCIT).

*Check one:*

- The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting \_\_\_\_\_

Signature \_\_\_\_\_ Position \_\_\_\_\_

*Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044*



**City of Bayport**  
 294 North Third Street  
 Bayport, Minnesota 55003  
 Phone 651-275-4404  
 Fax 651-275-4411  
<http://www.ci.bayport.mn.us>

**City of Bayport**  
**SPECIAL EVENT APPLICATION**

A special event application form is required for individuals or organizations who wish to hold a public or private event in the city and require the use of city property and/or special city services. For most special events, City Council approval is required. Therefore, it is important to plan ahead and submit the application form to City Hall at least two weeks prior to a regularly scheduled City Council meeting, which is usually held the first Monday of the month. For example, if the proposed event is to be held on June 15, 2010, the special event application form and fee must be submitted by May 24, 2010 in order to be considered at the June 7, 2010 City Council meeting.

Following the City Council meeting, city staff will inform the applicant whether or not the event was approved. City staff will also work with the applicant to coordinate special requests for city services associated with the event.

<b>Property Information</b>	Ferro Park Skating Rink		
Address:			
City:	Bayport	State:	Minnesota
Zip Code:	55003		
Owner Name:			
Home Phone Number:	Work/Cell Phone Number:		
Owner Address:			
City/State/Zip:			

<b>Applicant Information</b>	<input type="checkbox"/> Individual/For-profit organization	<input checked="" type="checkbox"/> Public entity/Non-profit organization
Applicant Name:	Andrée Aronson / for BCAL	
Home Phone Number:	651-261-6334	
Address:	310 6th St N	
City/State/Zip:	Bayport MN 55003	
Email Address:	andreearonson@comcast.net	

<b>Description of Request</b>	Skating / Community Party Feb. 18 <sup>th</sup> 2011 at the Rink 6-8pm w/ Snacks & Bonfire Free of Charge, open to Community	
<b>Event Information</b>	Start Date: 2-18	End Date: 2-18
Days of Operation (check all that apply)	<input type="checkbox"/> Sunday <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input checked="" type="checkbox"/> Friday <input type="checkbox"/> Saturday	
Hours of Operation:	Weekdays:	
	Weekends: 6-8 pm	

Requested City Assistance and/or Services
<p><i>Permit</i></p> <p>Use of warming house - <sup>Pass.</sup> serve drinks/snacks from <sup>there</sup></p> <p>Police (as needed or usual)</p> <p>See Groomer</p> <p>Extra Trash Containers</p> <p>Seating (benches) as usual</p>

**Application Process and Fees**

The processing fee for the application and must be submitted with the application form to City Hall. Any additional fees and expenses associated with this request are the responsibility of the applicant/property owner, and will be billed to the applicant/property owner by the city.

**Attachments to be submitted with application**

- A diagram of the proposed premises
- If the request involves the sale of produce, uncooked meat, or dairy, etc., the applicant must provide a copy of all license applications required by the Department of Agriculture for City Council approval. For license information, please contact JoNell O'Neil at 651-779-5015.
- If the request involves cooked/prepared food or beverages, the applicant must provide a copy of all license applications required by Washington County Public Health and Environment for City Council approval. For license information, please contact 651-430-6655.

The undersigned understand that this application will be processed in accordance with established city review procedures at such time as it is deemed complete. Failure by the applicant to supply accurate and necessary information as requested by the city may be cause for denying this application.

The undersigned hereby apply for the request as stated in this application form and in understanding the conditions of this application as described above, declare that the information and materials submitted in support of this application are complete to the best of their knowledge.

Applicant: Anelisa Aronson Date: 2/1

Property Owner: Andie Aronson Date: 2/1

Office Use - Dept. Review	Inspection	Date	Approved/Denied	Inspector
Administration	<input type="checkbox"/> Site Inspection			
Office Use - Fees	Amount Received	Date Received	Method of Payment	Staff Initials
Processing Fee \$15.00-Public entity/Non-profit \$50.00-Individual/For-profit	<input checked="" type="checkbox"/> \$15.00 <input type="checkbox"/> \$50.00	2/1/11	CK#6254 (Aronson)	Kjh
Escrow or cost incurred				



**CITY OF BAYPORT**  
**294 NORTH THIRD STREET**  
**BAYPORT, MINNESOTA 55003**  
**PHONE 651-275-4404 FAX 651-275-4411**

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Date: January 24, 2011  
To: Mayor and City Council  
From: Mitch Berg, City Administrator  
Subject: Renewal of boat trailer parking agreement with Andersen Corporation

***BACKGROUND***

Andersen Corporation has verbally agreed to extend the agreement with the city to allow boat trailer parking at the Andersen Corporation parking lot along 4<sup>th</sup> Avenue North, for city residents, beginning May 1, 2011. Andersen Corporation was unable to provide a written draft of the agreement for the City Council packet. However, based on our discussions, I do not anticipate any changes to the agreement from last year.

The city has already received numerous inquiries about whether boat trailer parking will be available at the Andersen lot again this year, and if so, when parking permit stickers can be purchased. As such, I would like authorization to finalize the agreement with Andersen Corporation, so we can begin issuing parking stickers to residents in April.

***RECOMMENDATION***

I recommend the City Council adopt a motion approving the agreement, contingent upon staff finalizing the details with Andersen Corporation.

**CITY OF BAYPORT  
RIVERFRONT ADVISORY COMMISSION  
MEETING MINUTES  
Tuesday, January 11, 2011**

**CALL TO ORDER**

Staff present: City Administrator Mitch Berg

Members present: Dan Goldston, Don Hoye, Sandy Ness, Robert McManus, Jim Selmecki, and Mary Lanz

**CALL TO ORDER**

The January 11, 2011 meeting was called to order at 6:00 p.m. in the Bayport City Hall City Council Chambers.

**APPROVAL OF AGENDA**

It was moved by Commissioner Lanz and seconded by Commissioner Selmecki to approve the agenda as printed. Motion carried.

**COMMENTS FROM THE PUBLIC**

No public comments were received.

**APPROVAL OF MINUTES**

It was moved by Commissioner Hoye and seconded by Commissioner Goldston to approve the Tuesday, December 28, 2010 minutes, with the one minor change in punctuation to the second paragraph in the staff update. Motion carried.

**CITY COUNCIL UPDATE**

Administrator Berg summarized the update that he provided to the City Council. Commissioner Ness indicated she would be available to provide an update at February 7, 2011 City Council meeting.

**STAFF UPDATE**

Administrator Berg mentioned he received some additional correspondence from the DNR in regard to a grant for a transient boating facility. The grant is through the U.S. Fish and Wildlife Service (USFWS) and requires the facility to meet ADA requirements, but allows the city to charge a reasonable fee to use the facility.

Administrator Berg presented an updated memo on the feasibility of the high priority objectives. The commission decided to eliminate upgrading the current boat ramp, after there was discussion about the narrowness of the right-of-way of which the ramp is located, the lack of accessible public parking, and the shallowness of the entry. In exchange, the commission agreed to explore a partnership with an existing marina to enable Bayport residents to launch for either a free or reduced cost. Nevertheless, the commission felt it was still important to retain ownership of the existing 4<sup>th</sup> Avenue North public access to the river and encouraged pursuing a longer term parking arrangement with the Andersen Corporation. As a result, objectives 2.2, 2.3, and 5.2 were combined into one objective.

There was also consensus from the commission that priority should be given to designing a fishing pier and/or transient dock facility that is ADA compliant. However, should the city be unable to secure

funding or encounter challenges that would make the project not feasible, the city should proceed with constructing the facility as accessible as possible.

**DISCUSSION ON THE PUBLIC INPUT SESSION**

The commission discussed the format they would like to use for the public input session. After some discussion, there was consensus to create an open house format with the opportunity for the public to comment on both the high and medium priorities, as well as see visuals that would help to illustrate the work of the commission. The commission agreed to meet on January 25, 2011 to discuss final details for the public input session, which is set for Tuesday, February 8, 2011 at 6:00 p.m..

**OTHER**

The next meeting is scheduled for Tuesday, January 25, 2011 at 6:00 p.m. at Bayport City Hall.

**ADJOURNMENT**

It was moved by Commissioner Lanz and seconded by Commissioner Hoye to adjourn the meeting at 7:14 p.m. Motion carried.

DRAFT

**CITY OF BAYPORT  
RIVERFRONT ADVISORY COMMISSION  
MEETING MINUTES  
Tuesday, January 25, 2011**

**CALL TO ORDER**

Staff present: City Administrator Mitch Berg

Members present: Dan Goldston, Sandy Ness, Robert McManus, Jim Selmecki, Tim Siegried, and Mary Lanz

**CALL TO ORDER**

The January 25, 2011 meeting was called to order at 6:00 p.m. in the Bayport City Hall City Council Chambers.

**APPROVAL OF AGENDA**

It was moved by Commissioner Goldston and seconded by Commissioner McManus to approve the agenda as printed. Motion carried.

**COMMENTS FROM THE PUBLIC**

No public comments were received.

**APPROVAL OF MINUTES**

It was moved by Commissioner Ness and seconded by Commissioner Lanz to approve the Tuesday, January 11, 2011 minutes with the notation that Facilitator Mark Nagel was not present and to mention that the public open house was set for Tuesday, February 8, 2011 at 6:00 p.m... Motion carried.

**CITY COUNCIL UPDATE**

Commissioner Ness indicated she might not be available to provide the update at the February 7, 2011 City Council meeting. Commissioner Lanz indicated she could present the update if Commissioner Ness could not attend.

**STAFF UPDATE**

Administrator Berg asked the commission if there were any final thoughts or changes to the findings of the feasibility report. The commission raised only a few items relating to grammar.

**DISCUSSION ON THE PUBLIC INPUT SESSION**

The commission discussed the format they would like to use for the public input session. There was consensus to reschedule the public open house from February 8, 2011 to March 29, 2011, in order to announce the date of the public open house in the upcoming March city newsletter. The commission scheduled the next regular meeting for March 8, 2011 at 6:00 p.m.

**ADJOURNMENT**

It was moved by Commissioner Lanz and seconded by Commissioner Hoye to adjourn the meeting at 7:14 p.m. Motion carried.



**CITY OF BAYPORT**  
**294 NORTH THIRD STREET**  
**BAYPORT, MINNESOTA 55003**  
**PHONE 651-275-4404 FAX 651-275-4411**

---

Date: January 25, 2010  
To: Mayor and City Council  
From: Mitch Berg, City Administrator  
Re: Water Service Lateral and Connection Improvement Project for 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North

### ***BACKGROUND***

At the December 6, 2010 meeting, the City Council authorized improvements at 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North for the repair of two water service laterals and connections. As part of the 429 special assessment process, the next two steps are for the City Council to approve separate resolutions declaring the cost of the project to be assessed and calling for the assessment hearing.

### ***RECOMMENDATION***

Staff recommends the City Council adopt the following:

- Resolution declaring the cost to be assessed and ordering preparation of the proposed assessment for the 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North Water Service Lateral and Connection Improvement Project
- Resolution calling for a hearing on the proposed assessment for the 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North Water Service Lateral and Connection Improvement Project

**RESOLUTION NO. 11-**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA HELD FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on February 7, 2011, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR THE 338 5<sup>TH</sup> STREET NORTH AND 354 5<sup>TH</sup> STREET NORTH WATER SERVICE LATERAL AND CONNECTION IMPROVEMENT PROJECT**

WHEREAS, a contract has been let for an improvement project for 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North, for the repair of two water service laterals and connections, and the contract (bid) price (estimated cost) for such improvement was \$8,719.00, and the expenses incurred or to be incurred in the making of such improvement amount to \$6,995.00, so that the total cost of the improvement will be \$6,995.00.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Bayport, Washington County, Minnesota:

1. The portion of the cost of such improvement to be paid by the city is hereby declared to be \$2,815.00 and the portion of the cost to be assessed against benefited property owners is declared to be \$4,180.00.
2. Assessments shall be payable in equal annual installments extending over a period of ten (10) years, with the first of the installments to be payable on or before the first Monday in January 2012, and shall bear interest at the rate of 4.5 percent per annum from the date of the adoption of the assessment resolution.
3. The City Administrator, with the assistance of the consulting engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his/her office for public inspection.
4. The City Administrator shall upon the completion of such proposed assessment, notify the City Council thereof.

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

Susan St. Ores—  
Connie Carlson —

Mark Ostertag —  
Judy Seeberger —

Michele Hanson —

WHEREUPON, said Resolution was declared duly passed, adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7<sup>th</sup> day of February 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor

**RESOLUTION NO. 11-**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA HELD FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on February 7, 2011, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT FOR THE  
338 5<sup>TH</sup> STREET NORTH AND 354 5<sup>TH</sup> STREET NORTH  
WATER SERVICE LATERAL AND CONNECTION IMPROVEMENT PROJECT**

WHEREAS, the City Council passed a resolution on December 6, 2010, directing the City Administrator to prepare a proposed assessment for the 338 5<sup>th</sup> Street North and 354 5<sup>th</sup> Street North Water Service Lateral and Connection Improvement Project; and

WHEREAS, the City Administrator has notified the City Council that such proposed assessment has been completed and filed in his office for public inspection.

NOW THEREFORE BE IT RESOLVED, by the City Council of Bayport, Minnesota:

1. A hearing shall be held at 6:00 p.m. on March 7, 2011, in the City Hall located at 294 North 3<sup>rd</sup> Street, Bayport, Minnesota, to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Bayport, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the Washington County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

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

Susan St. Ores—  
Connie Carlson —

Mark Ostertag —  
Judy Seeberger —

Michele Hanson —

WHEREUPON, said Resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7<sup>th</sup> day of February 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor

**City of Bayport 2010 5<sup>th</sup> Street Water Service Lateral and Connection Improvement Project**

**Assessment Role**

Property Owner Name(s): HILL RYAN & KATIE BEVERS

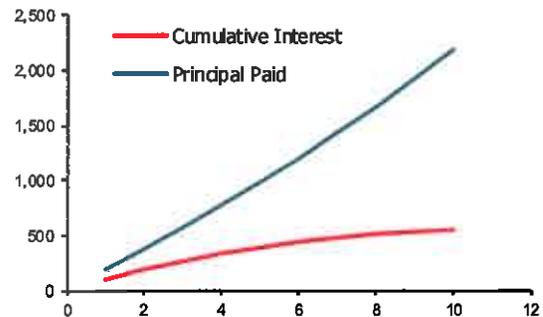
Address: 338 N 5<sup>th</sup> Street

Parcel Identification Number: 10.029.20.11.0050

Legal Description: BAYPORT BLKS 1-70, LT 1 BLK 71 Lot 9 Block 48

Total amount to be assessed: One Thousand Nine Hundred and Ninety Five Dollars and Zero Cents (\$1,995.00)

Loan Amount (pv)	\$1,995
Interest Rate (rate)	4.25%
Total # of Periods (Nper)	10
Payment per Period	\$249.04
Total Interest Paid	\$ 495.36



Period	Payment Amount	Interest	Cumulative Interest	Principal	Principal Paid	Balance
					\$	1,995.00
1	249.04	84.79	84.79	164.25	164.25	1,830.75
2	249.04	77.81	162.59	171.23	335.48	1,659.52
3	249.04	70.53	233.12	178.51	513.98	1,481.02
4	249.04	62.94	296.07	186.09	700.08	1,294.92
5	249.04	55.03	351.10	194.00	894.08	1,100.92
6	249.04	46.79	397.89	202.25	1,096.33	898.67
7	249.04	38.19	436.08	210.84	1,307.17	687.83
8	249.04	29.23	465.32	219.80	1,526.97	468.03
9	249.04	19.89	485.21	229.14	1,756.12	238.88
10	249.04	10.15	495.36	238.88	1,995.00	0.00

## City of Bayport 2010 5<sup>th</sup> Street Water Service Lateral and Connection Improvement Project

### Assessment Role

Property Owner Name(s): SPURGEON CHAD & CHRISTINA COOK

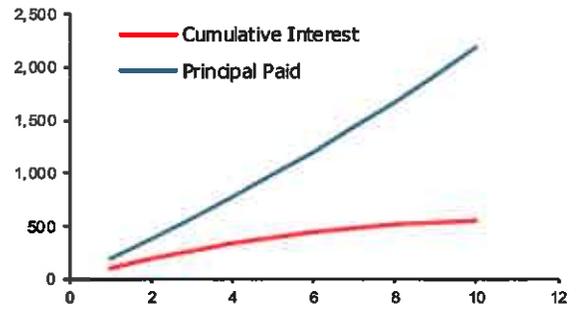
Address: 354 N 5<sup>th</sup> Street

Parcel Identification Number: 10.029.20.11.0051

Legal Description: LOTS 10 & 11 048 EXC N 10 FT OF LOT 11 AND BAYPORT BLKS 1-70, LT 1 BLK 71 Lot 10 Block 48

Total amount to be assessed: Two Thousand, One Hundred and Eighty Five Dollars and Zero Cents (\$2,185.00)

Loan Amount ( <b>pv</b> )	\$2,185
Interest Rate ( <b>rate</b> )	4.25%
Total # of Periods ( <b>Nper</b> )	10
Payment per Period	\$272.75
Total Interest Paid	\$ 542.54



Period	Payment Amount	Interest	Cumulative Interest	Principal	Principal Paid	Balance
					\$	2,185.00
1	272.75	92.86	92.86	179.89	179.89	2,005.11
2	272.75	85.22	178.08	187.54	367.43	1,817.57
3	272.75	77.25	255.33	195.51	562.94	1,622.06
4	272.75	68.94	324.26	203.82	766.75	1,418.25
5	272.75	60.28	384.54	212.48	979.23	1,205.77
6	272.75	51.25	435.79	221.51	1,200.74	984.26
7	272.75	41.83	477.62	230.92	1,431.66	753.34
8	272.75	32.02	509.63	240.74	1,672.40	512.60
9	272.75	21.79	531.42	250.97	1,923.37	261.63
10	272.75	11.12	542.54	261.63	2,185.00	0.00

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# MEMORANDUM

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**DATE:** January 31, 2011

**TO:** City Council (February 7<sup>th</sup> meeting)  
Mitch Berg, City Administrator

**FROM:** Sara Taylor, Assistant City Administrator/City Planner

**SUBJECT:** Consider a request to amend Conditional Use Permit 83-5C to specify permitted uses at 101 5<sup>th</sup> Avenue South, Bayport, Minnesota

## A. *BACKGROUND*

In 1983, the city approved the development of a marina (known as Bayport Marina), residential condominiums (known as Waterford on the St. Croix), and a restaurant (known as Clyde's) as part of a "master plan" or "planned unit" development. At the time of development, all three parcels were owned by the same individual and zoned residential. As such, the city required that a conditional use permit (CUP) be issued as part of the development, to specify land uses and stipulate conditions under which these uses must operate. Since 1983, the parcels have been split and sold off to three separate owners, but the uses have remained consistent.

What seemed like a straightforward proposal in 1983, has since turned out to be a constant source of conflict and litigation for both the city and the three property owners over the past few years. Because the CUP that was granted in 1983 was very vague in the way of specific land uses and conditions under which these uses can operate, the city has had a very difficult time deciphering the intensity that was intended for the development and enforcing and/or mitigating uses and conditions that may have a negative effect on surrounding properties. In addition, the property owners have had several disputes related to hours of operation, noise, docking privileges, signage, parking, and cross easements, all of which have come about in the past few years.

After being vacant for several years, the restaurant was purchased by Group 41, Ltd., in 2008 and an application was made to the city to resume the restaurant use and secure various liquor licenses for the establishment. During the review process for this application, the city discovered that the 1983 CUP was never officially recorded, in essence making it null and void. As such, the city issued a new CUP and new liquor licenses, with restricted hours of operation, to minimize negative impacts to adjacent properties.

In July of 2008, Group 41 filed a lawsuit challenging the city's action to require a new CUP with restricted hours of operation, alleging the CUP granted in 1983 shall govern the property. In 2009, a judgment was made that the 2008 CUP was invalid and the 1983 CUP governs, despite the fact that it was never recorded.

A settlement agreement between the City and Group 41 was reached, following mediation. As part of that settlement, the city agreed to consider an amendment to the 1983 CUP, to indicate the specific uses allowed. This proposed CUP amendment, as set forth by the settlement agreement, was approved by the City Council in early 2010. Once approved, the amended CUP will be recorded.

The Planning Commission held the required public hearing on January 18, 2011 regarding the application. Notice of the hearing was mailed to all property owners within 350' of the subject property and published in the Stillwater Gazette on December 23, 2010.

The following informational items are attached:

- Narrative by the applicant
- Conditional Use Permit 83-5C
- Settlement agreement

## **B. STAFF COMMENTS**

The settlement agreement was already approved by the City Council in 2010. However, in order to comply with the city's formal review process for zoning applications and actually amend the CUP, the City Council is being asked to take formal action on the matter.

The purpose of the amendment is to clarify the specific uses that are allowed by the 1983 CUP, not to amend the CUP to conform to current zoning districts or standards. For this reason, the amended text may be somewhat arbitrary, because it references zoning districts that no longer exist in the city. Regardless, excerpts of the original text and amended text are as follows:

### **Original text**

*All uses permitted in the R-4 Single Family Urban, LS-1 (Lakeshore) Overlay, and as further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only those specific uses noted on the approved site development plans attached hereto and made part of this Conditional Use Permit shall be developed, constructed, occupied and operated on the premises above described. All uses shall be further subject to all special conditions as hereinafter outlined.*

### **Proposed amended text**

*All uses permitted in the R-4 Single Family Urban, LS-1 (Lakeshore) Overlay, and is further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only the following specific uses shall be allowed pursuant to this Conditional Use Permit: marina, restaurant with on/off sale liquor, residential townhomes, boat sales, and related items, boat repair services, sale of gas and oil for use in boats, rental of boat slips. All uses shall be further subject to all special conditions as hereinafter outlined. All uses are subject to all city ordinances, including, but not limited to, all ordinances pertaining to building codes, occupancy codes and licensing codes.*

As the CUP relates to Group 41, their intent of the amendment is to clarify that a restaurant with on and off sale liquor is an approved use at the property. Since the city has always taken the position that the restaurant is one of the original uses intended for the property, the amendment is not actually changing anything from what the city actually intended back in 1983 or to present day. Therefore, the city is in agreement with the proposed text. In addition, if the city wishes to consider restricting hours of operation, the city may choose to implement such restrictions as a condition of an on/off sale liquor license.

At some point in the future, the city would like to work with Group 41, Bayport Marina Associates, and Waterford on the St. Croix Condominiums to create a separate CUP for each property, which stipulates conditions under which the three uses may operate. This will

hopefully eliminate conflict and potential future litigation for both the city and the property owners. As for now, staff feels that this amendment is a step in the right direction.

It should also be noted that Group 41 and the Bayport Marina Association are in the process of resolving a dispute involving an advertising sign for the development, which is located on public right-of-way. This matter is discussed in the settlement agreement; however, it will be dealt with as separate issue, at a later date. It is anticipated that a resolution regarding this matter will be brought forward to the city for consideration in the near future.

**C. *SUGGESTED FINDINGS OF FACT AND CONDITIONS OF APPROVAL***

The terms of the settlement agreement agreed upon by the city attorney and approved by the City Council clarify the specific uses that are allowed by the 1983 CUP, including a restaurant with on and off sale liquor. The city has always taken the position that the restaurant is one of the original uses intended for the property. Therefore, the amendment is not actually changing anything from what the city actually intended back in 1983 or to present day. Furthermore, the Department of Natural Resources (DNR) has stated that they do not have any objections to the amendment.

**D. *PLANNING COMMISSION ACTION***

At its meeting on January 19, 2011, the Planning Commission voted 4-0 to recommend approval of the application, subject to the findings of fact recommended by staff.

**E. *RECOMMENDATION***

Staff recommends approval of Application 2011-01 to amend Conditional Use Permit 83-5C for permitted uses at 101 5<sup>th</sup> Avenue South, per the terms and language specified in the settlement agreement approved by the city and Group 41. Suggested findings of fact are as stated in section "C" of the staff report. City Council action to approve or deny the application is requested.



Larkin Hoffman Daly & Lindgren Ltd.

1500 Wells Fargo Plaza  
7900 Xerxes Avenue South  
Minneapolis, Minnesota 55431-1194

GENERAL: 952-835-3800  
FAX: 952-896-3333  
WEB: [www.larkinhoffman.com](http://www.larkinhoffman.com)

November 18, 2010

Sara Taylor  
Assistant City Administrator/Planner  
City of Bayport  
294 North Third Street  
Bayport, MN 55003

Re: CUP Amendment for Permit No. 83-5C, Approved August 10, 1983, for a Restaurant Use Located at 101 – 5th Avenue South; Our File #32,643-00

Dear Ms. Taylor:

We represent Group 41, Ltd. ("Group 41") in connection with the restaurant use at 101 – 5th Avenue South (the "Site") in the city of Bayport, Minnesota (the "City"). A conditional use permit ("CUP") was approved by the City on August 10, 1983, which included a restaurant use on the Site. (See attached Permit No. 83-5C at Exhibit A). The City, Bayport Marina Association, Inc. and Group 41 have entered into a Settlement Agreement ("Agreement") related to the Site and its ongoing use of the Site as a restaurant. (See Attached at Exhibit B). As a part of the Agreement, Group 41 submits this proposed CUP amendment to Permit No. 83-5C.

*Proposed Amendment*

The proposed amendment is limited to a change to the first paragraph of Exhibit A, under Permitted Land Uses as follows:

Delete the existing first paragraph in its entirety and insert the following new language:

All uses permitted in the R-4 Single Family Urban, LS-1 (Lakeshore) Overlay, and is further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only the following specific uses shall be allowed to this Conditional Use Permit: marina, restaurant with on/off sale liquor, residential townhomes, boat sales and related items, boat repair services, sale of gas and oil for use in boats, rental of boat slips. All uses shall be further subject to all special conditions as hereinafter outlined. All uses are subject to all City ordinances, including, but not limited to, all ordinances pertaining to building codes, occupancy codes and licensing codes.

No other changes to the underlying approved CUP are proposed per the Agreement.

*Criteria for Approval*

The underlying existing CUP runs with the land and remains in effect as long as the conditions agreed upon are observed. The proposed CUP amendment does not materially change any aspect of the ongoing use of the Site as a restaurant.

The process for obtaining a CUP is set forth in the City's ordinance and may be granted upon finding that:

1. **Certain conditions as detailed in the Zoning Ordinance exist. This application does not impact the current zoning or proposed use of the Site. The restaurant use was approved by the City in 1983.**
2. **The use or development conforms to the comprehensive land use plan of the community. The restaurant use on the Site as part of the overall development of the approved underlying CUP conforms to the comprehensive land use plan of the City.**
3. **The proposed use is compatible with the existing neighborhood. The restaurant building was originally approved and constructed in the early 1980's as part of the PUD that included the Bayport Marina and Waterford on the St. Croix Condominium Association ("Bayport Marina"). The proposed amendment clarifies the allowed uses within the PUD, including the restaurant use on the Site. The use has been compatible with the surrounding area since the early 1980s and remains compatible today.**
4. **The proposed use meets conditions or standards adopted by the community not incorporated in this ordinance. The restaurant use will continue to be subject to the conditions established in Permit No. 83-5C and adopted by the City.**

*Code, Appendix B, §505.*

The proposed CUP Amendment meets the terms of the City's Ordinance. As a part of the Agreement, Group 41 requests the City approve the proposed amendment.

Sincerely,

  
William C. Griffith, for  
Larkin Hoffman Daly & Lindgren Ltd.

Direct Dial: 952-896-3290  
Direct Fax: 952-842-1729  
Email: [wgriffith@larkinhoffman.com](mailto:wgriffith@larkinhoffman.com)

Enclosures

cc: Group 41

CONDITIONAL USE PERMIT

City of Bayport, Minnesota

Permit No. 83-5 C  
Date: 8/10, 1983  
(Date approved by action  
of City Council)

Land Owner: (If different from Applicant)

Name: Bayport Marina Associates  
Address: 7101 York Avenue South, Edina, Minnesota 55435  
Phone No: 835-7707

Name: Moelter Construction Company  
Address: 2938 Quant Avenue North, Stillwater, Minnesota 55082  
Phone No: 439-6052

Applicant: (Name, address, phone number)

Same as above

Property Address: Around 600 block of South Minnesota Street,  
Bayport, Minnesota 55003

Legal Description: See attached Exhibit "A".

Permitted Land Uses:

All uses permitted in the R-4 Single Family Urban, LS-1 (Lake-shore) Overlay, and as further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only those specific uses noted on the approved site development plans attached hereto and made part of this Conditional Use Permit shall be developed, constructed, occupied and operated on the premises above described. All uses shall be further subject to all special conditions as hereinafter outlined.

In the granting of this Conditional Use Permit, the City Council has approved certain Variances from the strict application of the various applicable Codes and Ordinances of the City. The granting of said Variances shall in no way be construed to create a non-conforming use, lot, or development so long as the use, development, and maintenance of the site are in strict conformity to the Conditions of THIS PERMIT.

PLANNING COMMISSION REPORT

To City Council:

A public hearing having been held with respect to the foregoing request on July 26, 1983, at which the following listed persons appeared:

NAME

ADDRESS

*See attached*

and all information offered by said persons having been heard and considered, it is the recommendation of your commission that the within request be:

(Please write in one of the following: "Approved", "Approved subject to the following conditions", "Denied for the following reasons:", and number each condition or reason for denial; in the case of each condition or reason for denial refer to any applicable provision of the Zoning Ordinance by section number.)

Secretary - Planning Commission

\* \* \* \* \*

CLERKS NOTATION

Date Planning Commission Report Filed 8-10-83  
Date and Time Report Placed  
on City Council Agenda 8-10-83  
Date Copy of Report Mailed to  
Applicant pending 8-15-83 to ATTY-Lawson

\* \* \* \* \*

EXTRACT OF MINUTES OF CITY COUNCIL  
MEETING OF 8-10, 1983

(Extract resolution and other matters regarding subject application from minutes and insert here or attach; mail same to applicant.)

*See attached*

EXHIBIT "A"

Lots 1 through 23 and the South Four (4) feet of Lot 24, Block 105, Block 106, Block 107, and Lots 1 through 22, Block 108, except railroad right-of-way, Bayport (formerly South Stillwater) as platted; Government Lot 6, Section 11, Township 29, Range 20 lying West of the centerline of the creek known as Perro's Creek, Government Lot 3 lying East of railroad right-of-way, and that part of Government Lot 4 lying East of a line commencing on the North line of said Government Lot 4 and 164.2 feet East of the railroad right-of-way and said line running thence South in Section 14, Township 29, Range 20.

Conditions:

1. The Conditions of this Permit are applied to the described land and shall be recorded with Washington County against the Title of the land and shall not be affected or altered by any subsequent sale, lease, rental, or any other change in ownership of tenant status except as may be modified herein.
2. Where there are particular difficulties or unnecessary hardships resulting from the application of the strict letter of the Conditions of this Permit, an Appeal may be made and a Variance may be granted as provided for in the Zoning Regulations of the City.
3. Any requests for major deviation from the approved development and occupancy plans shall require a public hearing and consideration by the City Council following review by the Planning Commission; the City Council shall determine if any requested plan change is "major".
4. Any and all plan or occupancy changes shall not be approved by the City without at least 30 days prior notice to the State Department of Natural Resources.
5. This Conditional Use Permit shall be subject to annual review by the City Council.
6. All conditions outlined and listed in this Permit shall be enforced by the Zoning Administrator, Building Inspector and/or such other persons as designated by the City Council. In order to assure compliance with certain conditions such as the use of transient docks/slips, the City Council may require certain records to be made available by the Marina owners/management.
7. Building or other required Permits shall not be issued until such time that all City fees are paid in full with respect to the processing and administration of this Conditional Use Permit. The City Council may require also that any or all reasonable engineering and inspection costs be paid by the Marina owners both during construction and the on-going process of assuring compliance with conditions of this Permit. The City shall provide the land-owners with an annual estimate of the fees to be charged.
8. The subject site shall not be occupied nor utilized for the permitted uses until the City has issued a Certificate of Occupancy and a Certificate of Compliance. These Certificates shall include at least the following:  

Occupancy: This Certificate shall note and outline, in detail, land uses and operations to be permitted at the site along with conditions imposed thereon. Uses and operations not listed as permitted shall be considered as prohibited.

Compliance: This Certificate shall include certifications by the Building Inspector, City Engineer, and others as may be designated by the City Council that all conditions imposed have been complied with.
9. Grading, building, construction, or other required permits shall not be issued nor shall any work at the site be commenced until detailed plans and specifications for that particular stage of development (including landscaping) have been approved by action of the City Council.

10. The City reserves the right to regulate and control vehicular, water craft, and pedestrian traffic/circulation on and near the site.  
  
No signs of any type shall be permitted unless noted as specific elements on the approved site/development plans.
12. The City reserves the right to control and regulate noise, lights, or any other environmental nuisance factors that are or may become present.
13. Detailed plans for drainage, utilities, roads, anti-pollution devices/controls, and similar improvements shall be as required and approved by the City Engineer.
14. Storage and removal of trash and other waste materials shall be only as approved in a specific manner by the City.
15. Exterior storage (not within an approved building or other structure) of any type shall be only as noted on specific approved plans.
16. The City reserves the right to take immediate, specific, corrective action in the event that the permitted uses and occupancy of the site creates environmental problems detrimental to the general public health, safety, morals, or general welfare.
17. Landscaping per approved, detailed plans shall be installed in accordance with a time schedule approved by the City Council and may be staged in accordance with other construction elements. All construction, however, shall be in accordance with an approved stage development plan noting approved starting and completion dates. In particular, construction and occupancy of the residential condominium dwellings shall be in accordance with a schedule as approved by the City Council.
18. All structures, parking areas, buildings, sign, landscaping, waste storage areas, and other property features and improvements shall be well-maintained, properly repaired, and reasonably clean and orderly at all times.
19. All approved landscaping shall be well maintained at all times; any trees, shrubs, or planting materials of any type lost due to winterkill, drought, vandalism, or other cause shall be replaced per instructions and requirements of the City. (Replacements to be of original placement size).
20. As approved by the City Council, the City shall enforce and administer any and all requirements as may be imposed by the State Department of Natural Resources or other governmental body or agency.
21. The City reserves the right to enter upon the premises at any time for inspection purposes in the Marina area to assure compliance with conditions of this Permit. In the residential areas, inspection shall occur during reasonable daylight hours and with due notice.
22. The City reserves the right to enter upon the premises and replace landscaping, do structural maintenance, or otherwise act to protect the general public health, safety, morals or general welfare if the City Council determines (following due notice and public hearing) that deteriorated or deteriorating conditions are present requiring corrective action. If said corrective actions are taken, all costs associated with said actions may be assessed against the property owners.

23. Business operations (boat sales and related items, repair services, sale of gas and oil, rental of boat slips, restaurant, and the like) shall be only as specifically authorized by the City Council.
- 23A. Floodproofing of the road access up to 692 feet (NGVD, 1929) shall be by temporary bridging capable of being placed and removed by a travelift to be on the premises at all time or by hauling and removing adequate load beams gravel with a contract to be in effect for said work to be done. Any modifications of this provision which are not less restrictive or less comprehensive than this provision and that one required by the Minnesota Department of Natural Resources as a condition of its approval shall become a part of this provisions.
- 23B. Floodproofing of the structures that require floodproofing shall be according to existing laws and regulations. Any modifications of this provision which are less restrictive or less comprehensive than this provision and that one required by the Minnesota Department of Natural Resources as a condition of its approval shall become a part of this provision.
24. Upon due finding of fact, the City Council may take immediate corrective actions as may be required to present any environmental pollution (water, air, noise, lights, dust, and other) contrary to the intent and purpose of regulations designed to protect the St. Croix River.
25. All maps, plans, exhibits, and other documents attached to this Permit which are properly approved and filed shall be considered as a part of this Permit and shall have the same force and effect as if fully set down herein and are hereby made a part of this Permit. (reference to correspondence from Planning and Zoning, planner, etc. is designated as written findings of this Council.)
26. This Permit may be amended or revoked at any time in accordance with due process of Law following review by the Planning Commission, due public notice, and public hearing, based on any significant violation of the terms of this Conditional Use Permit.
27. Approval of the general or "concept" plans presented as of August 10, 1983, by the City County shall in no way bind the Council to later approval of more detailed plans and issuance of necessary permits for construction, occupancy, and use of the land (site) as described herein. Approval of more complete, detailed plans and specifications for development, use, and occupancy of the land and water involved, however, shall be based upon an evaluation of the Applicant's ability to comply with the basic intent and purpose of this Conditional Use Permit.

**SETTLEMENT AGREEMENT**

**Re: Group 41, Ltd. v. City of Bayport and Bayport Marina Association, Inc.  
Washington County Court File No.: 82-CV-08-4846**

This is a Settlement Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010 between Group 41, Ltd., a Minnesota corporation ("Group 41") and the City of Bayport, a Minnesota municipal corporation ("City").

For the consideration as set forth herein and the mutual covenants herein contained, it is hereby agreed by and between Group 41 and the City as follows:

1. Group 41 shall submit an application to the City seeking an amendment to the Conditional Use Permit 83-5C attached hereto as Exhibit A.
2. The Amendment to be submitted shall be limited to a change to the first paragraph of Exhibit A under PERMITTED LAND USES the front page of Exhibit A by deleting said paragraph in its entirety and inserting in its place the following:

All uses permitted in the R-4 Single Family Urban, LS-1 (Lakeshore) Overlay, and is further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only the following specific uses shall be allowed pursuant to this Conditional Use Permit: marina, restaurant with on/off sale liquor, residential townhomes, boat sales and related items, boat repair services, sale of gas and oil for use in boats, rental of boat slips. All uses shall be further subject to all special conditions as hereinafter outlined. All uses are subject to all City ordinances, including, but not limited to, all ordinances pertaining to building codes, occupancy codes and licensing codes.

3. If the City approves the Amendment as requested, the City shall file with the Washington County Recorder the CUP as amended and such amended CUP shall replace and repeal the CUP as approved by City Resolution No. 08-07 adopted by the City Council of the City of Bayport on May 19, 2008. The City will file the amended CUP with the County Recorder simultaneous with the City and Group 41 signing a Stipulation of Dismissal with Prejudice as set forth below. The Stipulation for Dismissal will be held and not filed pending completion of the items in Paragraphs 1, 2, 3 and 4.

4. The City will consider and cooperate with the anticipated joint request of Group 41 and Bayport Marina Association, Inc. to vacate the public right-of-way consisting of platted Fifth Avenue upon which the existing sign is located which advertises the restaurant. The legal description of said property is: That parcel designated as Fifth Avenue on the plat of Bayport Marina, lying adjacent to Outlot D, Bayport Marina and being formerly described as Lot 4, Block 108, Bayport (formerly South Stillwater) in Washington



County, Minnesota. The City shall cooperate with the approval of such sign permit for such sign. The settlement and resolution of this matter is expressly conditioned upon the City's approval of the vacation of the public right-of-way referenced above.

5. Group 41's claims against the City shall be dismissed with prejudice and without costs and disbursements to any party once the items set forth in Paragraphs 1, 2, 3 and 4 are completed pursuant to the attached Stipulation of Dismissal.

6. Group 41 understands and agrees that by signing the Stipulation of Dismissal with Prejudice it is hereby releasing the City and all of its officials, officers, directors, attorneys, principals, representatives, administrators, executors, successors and assigns, employees and agents from any and all claims, demands, liabilities, obligations, actions or causes of action of any nature whatsoever, whether or not now known, suspected or claimed, including costs, disbursements, and expert fees, attorney's fees, expenses and compensation and demands of whatsoever kind or nature on account of or in any way growing of all known or unknown damages, losses and claims of whatsoever nature including compensatory, consequential or punitive damages in anyway involved or connected with or related to the allegations of Plaintiff's Complaint and Amended Complaint in the above-captioned lawsuit including any and all claims for injunctive relief, mandamus, declaratory judgment or any other equitable or statutory relief requested and related in any manner to said claims as described herein. Nothing in this Settlement Agreement shall be deemed a waiver or release by Group 41 (or its successors or assigns) of any claims, rights, interests, demands or causes of action related to existing or future liquor licenses sought by or issued to Group 41 or its tenants.

7. It is understood and agreed that this Agreement is a settlement of disputed claims and this Agreement, in its consideration, shall not be deemed or construed as an admission of liability by the parties by whom liability is expressed denied.

Dated: 4-1-10

Group 41, Inc.

By: [Signature]  
Its: President

Dated: 1/19/2010

City of Bayport

By: [Signature]  
Its: Mayor

Dated: 1/19/2010

City of Bayport

By: [Signature]  
Its: City Clerk

**RESOLUTION NO. 11-**

**EXTRACT OF THE MINUTES OF THE CITY COUNCIL MEETING  
CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA HELD FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, the regular meeting of the City Council of the City of Bayport, Minnesota was duly held at the Bayport City Hall in said municipality on the 7<sup>th</sup> day of February, 2011.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT (CUP)  
83-5C TO SPECIFY PERMITTED USES ALLOWED AT 101 5<sup>TH</sup> AVENUE SOUTH,  
BAYPORT, WASHINGTON COUNTY, MINNESOTA**

WHEREAS, The city received a request from Group 41, Ltd. to consider an amendment to CUP 83-5C, granted in 1983, as part of a master plan for a marina, residential condominiums, and a restaurant; and

WHEREAS, The purpose of the amendment is to clarify the specific uses that are allowed by the 1983 CUP; and

WHEREAS, A settlement agreement between the city and Group 41 was reached in 2010, following mediation, which specifies the CUP language to be amended, described on the attached Exhibit A; and

WHEREAS, The Planning Commission of the City of Bayport held a public hearing on January 18, 2011 for the purpose of obtaining public comment on the application. At the close of the public hearing, the Planning Commission unanimously recommended approval of the amendment to the City Council; and

WHEREAS, The City Council of the City of Bayport considered and approved the application on February 7, 2011 at its regular meeting; and

WHEREAS, The City Council has made the following findings of fact:

**FINDINGS OF FACT**

- A. On or about December 6, 2010, the city received an application requesting consideration of an amendment to CUP 83-5C.
- B. In 1983, at the time of development, the subject property was zoned residential. As such, the city required that a conditional use permit (CUP) be issued as part of the development, to specify land uses and stipulate conditions under which these uses must operate.
- C. During the review process for a new restaurant in 2008, the city discovered that the 1983 CUP was never officially recorded. As such, the city issued a new CUP to minimize negative impacts to adjacent properties.
- D. In 2009, following litigation between the city and Group 41, a judgment was made that the 2008 CUP was invalid and the 1983 CUP governs, despite the fact that it was never recorded.

- E. Following mediation, a settlement agreement was reached with Group 41 and approved by the City Council in 2010. The agreement stipulates that an amendment be made to the 1983 CUP, to indicate specific uses allowed as part of the development, including a restaurant with on and off sale liquor. Since the city has always taken the position that the restaurant is one of the original uses intended for the property, the amendment is not actually changing anything from what the city actually intended back in 1983 or present day.
- F. On January 11, 2011, the city received notification from Molly Shodeen, Department of Natural Resources (DNR), stating that the DNR has no issues with the proposed CUP amendment.
- G. To comply with the city's formal review process for a CUP, the Planning Commission held a public hearing on the application, extended the review period for the application an additional 60 days, per Minnesota Statute 15.99, in order to meet the city's meeting schedule and allow adequate time for the City Council to act properly on the matter.
- H. Based on paragraphs (A)-(G) above, the City Council finds it in the best interest of the city to approve an amendment to CUP 83-5C.

NOW THEREFORE BE IT RESOLVED: By the City Council of the City of Bayport, Washington County, Minnesota, does hereby ordain as follows:

1. The application is hereby approved, based on the findings of fact stated above, the regulations set forth by city code, and subject to the following condition:
  - This amended CUP shall not become effective and shall not be recorded unless and until Group 41 and the city sign and file a Stipulation of Dismissal with Prejudice pursuant to the settlement agreement entered into between Group 41 and the city, as signed by the city on January 19, 2010 and by Group 41 on April 1, 2010.
2. The entire record of the hearing before the Planning Commission, including without limitation, the testimony and exhibits presented together with the discussion of the City Council regarding the matters described herein are hereby made a part of the record of these proceedings.

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

Susan St. Ores –	Mark Ostertag –	Michele Hanson –
Connie Carlson –	Judy Seeberger –	

WHEREUPON, said Resolution was declared duly passed, adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7<sup>th</sup> day of February, 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor

# EXHIBIT A

## SETTLEMENT AGREEMENT

**Re: Group 41, Ltd. v. City of Bayport and Bayport Marina Association, Inc.  
Washington County Court File No.: 82-CV-08-4846**

This is a Settlement Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010 between Group 41, Ltd., a Minnesota corporation ("Group 41") and the City of Bayport, a Minnesota municipal corporation ("City").

For the consideration as set forth herein and the mutual covenants herein contained, it is hereby agreed by and between Group 41 and the City as follows:

1. Group 41 shall submit an application to the City seeking an amendment to the Conditional Use Permit 83-5C attached hereto as Exhibit A.

2. The Amendment to be submitted shall be limited to a change to the first paragraph of Exhibit A under PERMITTED LAND USES the front page of Exhibit A by deleting said paragraph in its entirety and inserting in its place the following:

All uses permitted in the R-4 Single Family Urban, LS-1 (Lakeshore) Overlay, and is further permitted and regulated by the St. Croix River Bluff and Shoreland Protection Zone District. As of the effective date of this Conditional Use Permit, however, only the following specific uses shall be allowed pursuant to this Conditional Use Permit: marina, restaurant with on/off sale liquor, residential townhomes, boat sales and related items, boat repair services, sale of gas and oil for use in boats, rental of boat slips. All uses shall be further subject to all special conditions as hereinafter outlined. All uses are subject to all City ordinances, including, but not limited to, all ordinances pertaining to building codes, occupancy codes and licensing codes.

3. If the City approves the Amendment as requested, the City shall file with the Washington County Recorder the CUP as amended and such amended CUP shall replace and repeal the CUP as approved by City Resolution No. 08-07 adopted by the City Council of the City of Bayport on May 19, 2008. The City will file the amended CUP with the County Recorder simultaneous with the City and Group 41 signing a Stipulation of Dismissal with Prejudice as set forth below. The Stipulation for Dismissal will be held and not filed pending completion of the items in Paragraphs 1, 2, 3 and 4.

4. The City will consider and cooperate with the anticipated joint request of Group 41 and Bayport Marina Association, Inc. to vacate the public right-of-way consisting of platted Fifth Avenue upon which the existing sign is located which advertises the restaurant. The legal description of said property is: That parcel designated as Fifth Avenue on the plat of Bayport Marina, lying adjacent to Outlot D, Bayport Marina and being formerly described as Lot 4, Block 108, Bayport (formerly South Stillwater) in Washington

County, Minnesota. The City shall cooperate with the approval of such sign permit for such sign. The settlement and resolution of this matter is expressly conditioned upon the City's approval of the vacation of the public right-of-way referenced above.

5. Group 41's claims against the City shall be dismissed with prejudice and without costs and disbursements to any party once the items set forth in Paragraphs 1, 2, 3 and 4 are completed pursuant to the attached Stipulation of Dismissal.

6. Group 41 understands and agrees that by signing the Stipulation of Dismissal with Prejudice it is hereby releasing the City and all of its officials, officers, directors, attorneys, principals, representatives, administrators, executors, successors and assigns, employees and agents from any and all claims, demands, liabilities, obligations, actions or causes of action of any nature whatsoever, whether or not now known, suspected or claimed, including costs, disbursements, and expert fees, attorney's fees, expenses and compensation and demands of whatsoever kind or nature on account of or in any way growing of all known or unknown damages, losses and claims of whatsoever nature including compensatory, consequential or punitive damages in anyway involved or connected with or related to the allegations of Plaintiff's Complaint and Amended Complaint in the above-captioned lawsuit including any and all claims for injunctive relief, mandamus, declaratory judgment or any other equitable or statutory relief requested and related in any manner to said claims as described herein. Nothing in this Settlement Agreement shall be deemed a waiver or release by Group 41 (or its successors or assigns) of any claims, rights, interests, demands or causes of action related to existing or future liquor licenses sought by or issued to Group 41 or its tenants.

7. It is understood and agreed that this Agreement is a settlement of disputed claims and this Agreement, in its consideration, shall not be deemed or construed as an admission of liability by the parties by whom liability is expressed denied.

Dated: 4-1-10

Group 41, Inc.

By: [Signature]  
Its: President

Dated: 1/19/2010

City of Bayport

By: [Signature]  
Its: Mayor

Dated: 1/19/2010

City of Bayport

By: [Signature]  
Its: City Clerk

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# MEMORANDUM

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**DATE:** February 1, 2011

**TO:** City Council (February 7<sup>th</sup> meeting)  
Mitch Berg, City Administrator

**FROM:** Barry Peters, City Engineer  
Sara Taylor, Assistant City Administrator/City Planner

**SUBJECT:** Dedication of public right-of-way to city and property line adjustment along 6<sup>th</sup> Street North

**A. BACKGROUND**

Several years ago, the designation of 6<sup>th</sup> Street North was changed from a county road to a city street. It was known at that time that the existing road was not built within a dedicated public right-of-way. Washington County prepared a plat as a guide for the right-of-way needed and the city requested cooperation from property owners along 6<sup>th</sup> Street North to enter into an easement agreement for the portion of street that encroached on to private property or to give the city fee title to this area, so the city had legal rights to improve and maintain the street. Property owners Matt and Sabrina Bell have already given an easement to the city for the portion of street that encroaches onto their property. Robert and Doris Hayner are agreeable to dedicating the portion of street that encroaches on to their property to the city, if the requested property line adjustment involving both the Bell and Hayner parcels can be made.

The following informational items are attached:

- Sketch with existing right-of-way and parcel conditions
- Sketch with proposed right-of-way and parcel conditions

**B. STAFF COMMENTS**

**1. Dedication of public right-of way to city – Comments by City Engineer Barry Peters**

In 2004, the Bells signed a highway easement for property described in Right-of-Way Plat No. 144. This easement gave the county (now the city) rights to use, maintain and improve the property within the easement, while the Bells retained ownership of the underlying property. Robert and Doris Hayner did not give an easement, so they have retained ownership of the property on which the road is located. However, the Hayners have recently approached the city, stating they are now agreeable to signing a quit claim deed to transfer fee ownership of these parcels shown in Right of Way Plat 144 to the city. With fee ownership, the city will own the underlying property.

The quit claim deed has been prepared by the Hayner's attorney. To execute the transfer, the Hayners will sign the deed and deliver it to the city. The city will then be responsible for filing the quit claim deed with Washington County. The Hayners are not looking for compensation for the property being transferred, but the city would be responsible for the fees associated with the transfer, including the deed tax and recording fee, which is estimated to cost approximately \$50.00.

From the engineering standpoint, I do not have an issue with the quit claim deed transferring ownership of property within the existing highway plat to the city. It will officially clean up the ownership rights in this area and will give the city full rights to the right-of-way.

## **2. Property line adjustment – Comments by City Planner Sara Taylor**

Parcel A is owned by the Bells and consists of 8,466 square feet. Parcel B is owned by the Hayners and consists of 28,174 square feet. The request is primarily a land transfer between Parcel A and B. A portion of land in the northwest corner of Parcel B will be transferred to the southeast corner of Parcel A, which will mitigate encroachment of the house onto Parcel B and bring the house and garage into compliance with city code setback requirements. In addition, a separate portion of land in the southeast corner of Parcel A will be transferred to the northwest corner of Parcel B, to create more a conducive area in which to possibly build a single-family home at some point in the future.

Parcel A is currently nonconforming with the zoning ordinance, as it does not meet minimum lot area requirements nor setback requirements for the existing structures on the property. As a result of the land transfer, Parcel A will be brought into compliance with these zoning requirements, with a lot area of 10,037 square feet and a setback greater than 10 feet for both the house and the garage.

Because of the current layout and topography of Parcel B, it would be somewhat difficult to locate a house on the property in its existing state. The land transfer will result in the addition of a relatively flat piece of land to Parcel B, in order to create an area more conducive to building a structure on the property. The lot area of Parcel B will consist of 26, 612 square feet after the land transfer.

As long as a property line adjustment or land transfer does not result in a nonconforming parcel and meets the requirements of the city's code of ordinances, the request is to be handled administratively and City Council approval is not required. Therefore, city staff has worked with the property owners over the past few months to review and process this request. City staff feels that the property line adjustment and land transfer will bring the properties into compliance with city code and will not have any negative impacts. The property line adjustment will be recorded with the quit claim deed for the public right-of way. It should be noted that although the land transfer will create a more conducive area in which to build on Parcel B, all new structures must be built in compliance with zoning regulations and city ordinances.

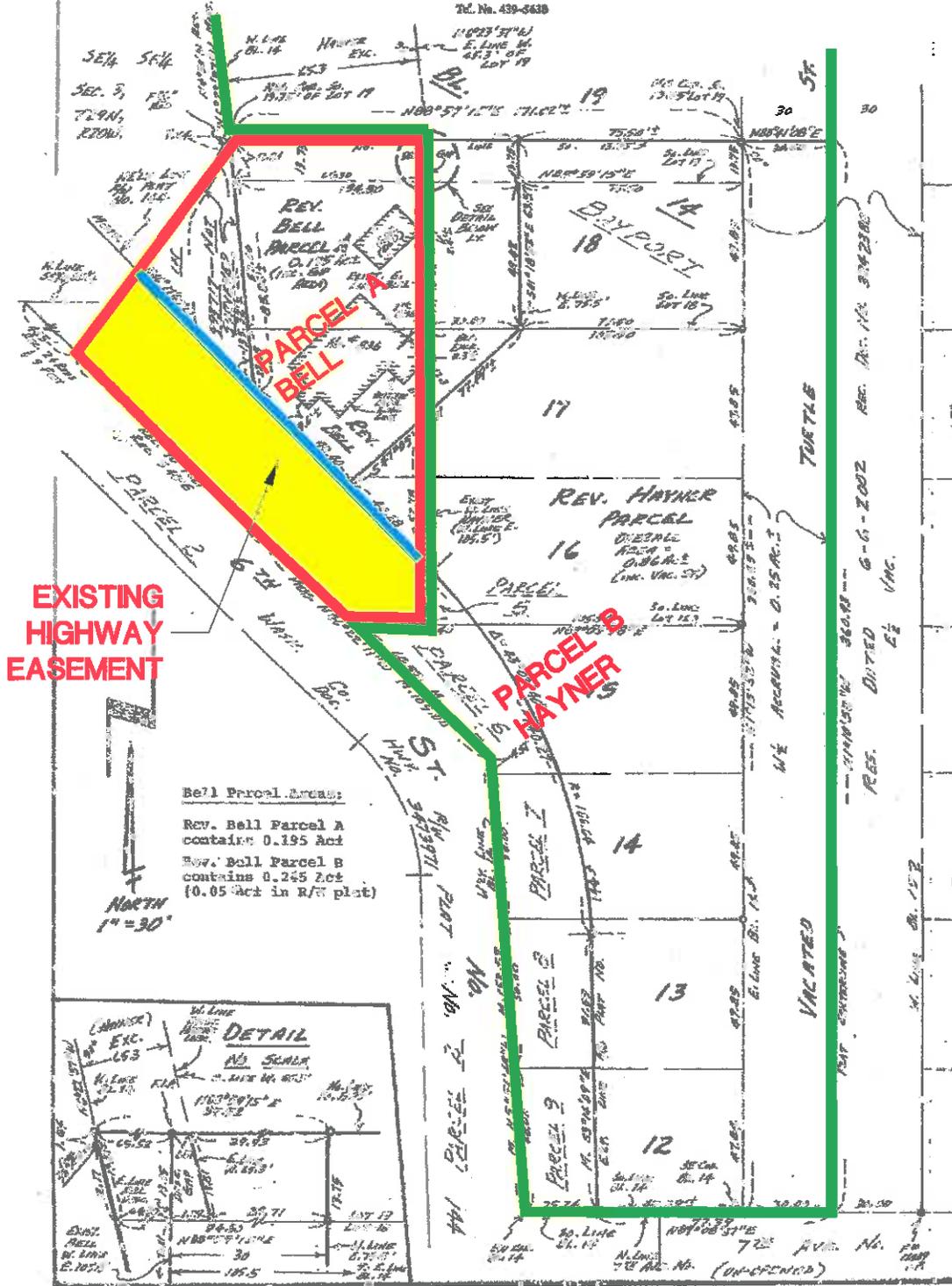
## **C. RECOMMENDATION**

Staff recommends that the City Council accept the quit claim deed, transferring fee ownership of the existing Hayner property located within Right-of-Way Plat 144 to the city, in conjunction with the property line adjustment requested for Parcels A and B, with the following conditions:

- The Hayners shall assume any additional costs incurred by the City Engineer and City Attorney to review and execute the requested land transfer(s)
- The Hayners shall assume costs to prepare the quit claim deed for the transfer of right-of-way to the city and provide the signed deed to the city; the city will record the quit claim deed with Washington County and assume associated costs
- The Hayners and/or Bells shall assume costs to prepare a final survey and new deeds for Parcels A and B, which indicate the property line adjustment, record the deeds with Washington County, assume associated costs, and provide the city with a recorded copy of the deeds

# CERTIFICATE OF SURVEY

BARRETT M. STACK  
 STILLWATER, MINN. 55082  
 MINNESOTA REGISTERED  
 LAND SURVEYOR  
 Tel. No. 439-4638





**RESOLUTION NO. 11-**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
HELD FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on the 7<sup>th</sup> day of February 2011, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION ACCEPTING THE TRANSFER OF FEE OWNERSHIP OF PROPERTY  
FROM ROBERT AND DORIS HAYNER, WHICH CONSISTS OF A PORTION OF 6<sup>TH</sup>  
STREET NORTH THAT WAS NOT CONSTRUCTED WITHIN A DEDICATED RIGHT-  
OF-WAY IN BAYPORT, WASHINGTON COUNTY, MINNESOTA**

WHEREAS, Robert and Doris Hayner own Lots 12-19 of Block 14, adjacent to 6<sup>th</sup> Street North, in Bayport, Minnesota; and

WHEREAS, it has come to the city's attention that a portion of 6<sup>th</sup> Street North was not constructed within a dedicated right-of-way and encroaches on to Robert and Doris Hayner's property; and

WHEREAS, the City of Bayport owns and/or holds an easement for all of 6<sup>th</sup> Street North and its associated right-of-way, except that portion which encroaches onto Robert and Doris Hayner's property, described on the attached Exhibit A; and

WHEREAS, Robert and Doris Hayner have agreed to transfer fee ownership of the portion of 6<sup>th</sup> Street North and its associated right-of-way which encroaches on to their property, to the city, to resolve the encroachment issues, and enable the city to maintain and improve the road and its associated right-of-way, as needed;

WHEREAS, the city has determined it is in the public interest to obtain fee ownership of this property to remedy the encroachment issues and enable the city to maintain and improve this right-of-way.

NOW THEREFORE BE IT RESOLVED: The City Council of the City of Bayport, Washington County, Minnesota, does hereby ordain as follows:

1. The city is authorized to accept the property described on Exhibit A from Robert and Doris Hayner to obtain fee ownership and enable the city to maintain and improve this portion of the 6<sup>th</sup> Street North and the associated right-of-way.
2. The city will require Robert and Doris Hayner to prepare the necessary quit claim deed, at their cost, to effectuate the transfer of fee ownership of the right-of-way to the city.
3. The city will record the quit claim deed and assume costs to record the document with Washington County.
4. Should Robert and Doris Hayner pursue a property line adjustment with adjacent property owners Matt and Sabrina Bell, the city will require Robert and Doris Hayner to prepare a final survey and new deeds which identify the property line adjustment, record the deeds with Washington County, assume costs to record the deeds, and provide the city with a recorded copy of the final survey and deeds.
5. The city will require Robert and Doris Hayner to reimburse the city for any additional costs incurred by the City Engineer and City Attorney to review and execute the requested land transfer(s) and property line adjustment(s).

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

Susan St. Ores –	Mark Ostertag –
Connie Carlson –	Judy Seeberger –
Michele Hanson –	

WHEREUPON, said Resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7<sup>th</sup> day of February, 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor

## **EXHIBIT A**

Parcel Nos. 5, 6, 7, 8, and 9 of WASHINGTON COUNTY RIGHT OF WAY PLAT NO. 144 – CSAH 28, as the same is on file and of record in the office of the County Recorder of Washington County, Minnesota, as Document No. 3473971.



**CITY OF BAYPORT**  
294 NORTH THIRD STREET  
BAYPORT, MINNESOTA 55003  
PHONE 651-275-4404 FAX 651-275-4411

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DATE: January 24, 2011  
TO: Mayor and City Council  
FROM: Mitch Berg, City Administrator  
RE: Consider adopting a PERA leave certification program for non-union, full-time city employees for 2010

### ***BACKGROUND***

On April 11, 2010, I implemented a 38-hour work week for all non-union employees to help with the budget. I anticipated the furlough would result in approximately \$16,518.00 of savings for 2010. Staff was also encouraged to take additional furlough. As a result, I am proud to report that combined, non-union staff voluntarily gave up an additional 178 hours. This resulted in an additional savings to the city of approximately \$5,199.00, for a total cost savings of approximately \$21,717.00.

In August 2010, the City Council approved a PERA program for non-union employees who took furlough in 2009. Under the program, employees that took furlough were able to buy back lost hours to meet their pension eligibility requirements. Employees contributed the employee portion, and the city contributed the employer portion.

At this time, I am requesting that the City Council continue the PERA program for furlough hours taken by non-union employees in 2010. The cost of the employer portion is estimated at \$2,000.00, including interest. While the city did not budget for this, a portion will be offset by employees who have already volunteered to take additional furlough hours for 2011. Furthermore, I truly believe this is a small sacrifice for the city to make, given the sacrifice our non-union employees have been asked to make over the past two years.

### ***RECOMMENDATION***

I am recommending the City Council adopt the attached resolution approving participation in the PERA Leave Program Certification–Budget Savings Leave Program for non-union employees affected by the 2010 furlough, and elect to have the city make the employer contribution with interest, provided the individual employee contributes toward their member portion.

**RESOLUTION NO. 11-\_\_**

**EXTRACT OF THE MINUTES OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
HELD FEBRUARY 7, 2011**

Pursuant to due call and notice therefore, a regular meeting of the City Council of the City of Bayport, Minnesota was duly held at Bayport City Hall in said municipality on the 7<sup>th</sup> day of February 2011, at 6:00 p.m.

The following members were present:

The following members were absent:

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING PARTICIPATION IN A LEAVE CERTIFICATION  
PROGRAM-BUDGET SAVINGS LEAVE PROGRAM**

WHEREAS, the City of Bayport is a Minnesota Statutory City; and

WHEREAS, the City asked its non-union full-time employees to take a mandatory budget savings leave (furlough) in 2010; and

WHEREAS, through the furlough process the City was able save approximately \$21,717.00 in reduced labor costs; and

WHEREAS, the State of Minnesota passed a law which allows employees to maintain a fully whole salary for PERA eligibility purposes, provided both the employer and employee make a contribution with interest; and

THEREFORE BE IT RESOLVED, the City of Bayport shall pay the employer contribution plus interest for the lost furlough hours taken from January 1, 2010 to December 31, 2010.

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

Susan St. Ores –	Mark Ostertag –
Connie Carlson –	Judy Seeberger –
Michele Hanson –	

WHEREUPON, said Resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Administrator. Passed by the City Council, City of Bayport, Washington County, Minnesota this 7th day of February 2011.

ATTEST:

\_\_\_\_\_  
Mitch Berg, City Administrator

\_\_\_\_\_  
Susan St. Ores, Mayor



# **CITY OF BAYPORT**

294 NORTH 3<sup>RD</sup> STREET  
BAYPORT, MN 55003

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## **CITY SNOW PLOWING AND ICE CONTROL POLICY**

- SECTION I. INTRODUCTION**
- SECTION II. CONDITIONS WARRANTING SNOW CONTROL OR REMOVAL**
- SECTION III. METHODS FOR SNOW CONTROL OR REMOVAL**
- SECTION IV. SCHEDULE FOR SNOW CONTROL OR REMOVAL**
- SECTION V. RESTRICTIONS ON SNOW CONTROL OR REMOVAL**
- SECTION VI. DEVIATION, REVIEW, AND MODIFICATION OF POLICY**
- SECTION VII. ADOPTION**

## **SECTION I. INTRODUCTION**

The city finds it in the best interest to assume basic responsibility for control and removal of snow and ice on city streets. Reasonable ice and snow control are necessary for routine travel and emergency services. The city will attempt to provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. The city will use employees, equipment and/or private contractors to provide this service.

## **SECTION II. CONDITIONS WARRANTING SNOW CONTROL OR REMOVAL**

Snow and ice control operations are expensive and involve the use of limited personnel and equipment. Consequently, snow plowing operations will not generally be conducted for snowfall of less than two (2) inches, except for certain areas that have been identified as a safety concern. However, the city will use sand, salt, and other chemicals to treat hazardous ice or slippery conditions.

Unforeseeable circumstances may cause delays in completing assigned plow routes. Such circumstances may include weather conditions that endanger the safety of snow plow operators and/or safe and effective operation of equipment, commuter traffic, disabled vehicles, poor visibility conditions, parked cars along streets, assistance to emergency response vehicles, equipment breakdown, and personnel shortages.

The Public Works Supervisor and the Police Department shall work together to determine when snow or ice control and/or removal operations are warranted, taking the following factors into consideration:

- Whether the snow accumulation is less than two (2) inches
- Whether the snow is drifting or icy, causing problems for travel
- Whether the time of snowfall is related to heavy use of streets

## **SECTION III. METHODS FOR SNOW CONTROL OR REMOVAL**

### **Snow plowing**

This method will be utilized to clear and control the accumulation of snow on city streets, alleys, driveways, and/or parking lots. The center of the street shall be plowed first, and then the snow shall be pushed from left to right on two-way streets. On one-way streets, or streets with a center boulevard, snow may be pushed in either direction. The discharge shall be directed on to the boulevard area of the street. Snow on cul-de-sacs will normally be plowed to the center or other appropriate areas in an attempt to provide the largest turning radius possible for emergency vehicle ingress and egress.

### **Brooming and shoveling**

This method will be utilized to clear and control the accumulation of snow on city sidewalks, driveways, parking lots, trails, park areas, and/or city property that cannot be accessed or cleared by a snow plow.

**Sanding and/or salting**

This method will be utilized to minimize icy conditions on city streets, alleys, sidewalks, and/or other city property. Sanding and/or salting shall be done as needed, with a sand/salt mixture that is most appropriate, given the weather and road conditions. Care should be taken in applying the sand/salt mixture to provide for the maximum safety of the public and minimal impact to the environment.

Accumulations of snow, ice, and slush, as a result of the methods listed above will be removed as needed, especially from areas which may be considered hazardous. These accumulations shall be relocated to a snow storage area approved by the Public Works Supervisor.

**SECTION IV. SCHEDULE OF SNOW CONTROL OR REMOVAL**

Except in cases of projected heavy and continuous snow, the city will not usually dispatch snow plows until such time as the snowfall has stopped. If the snowfall stops during regular working hours, the plows may be dispatched at that time. If the snowfall stops during the night or early morning hours, the plows will be dispatched between 3:00 a.m. and 5:00 a.m. Weekend plowing will be handled in a similar manner. It should be noted that snow plows will not be dispatched in situations that may be hazardous, due to limited visibility, extreme cold, or high winds.

The city shall either salt, sand, and/or plow all, or portions of, the below listed routes, dependent upon such factors as, but not limited to, current and forecasted weather conditions:

<u>Snowfall</u>	<u>Snow control/removal method</u>	<u>Area</u>
Less than 2 inches	Sand, salt, and/or snow plow	Osprey Boulevard (Hwy 95 to end)
	Sand, salt, and/or snow plow	1 <sup>st</sup> Ave. S. (Hwy 95 to 5 <sup>th</sup> St. S.)
	Sand, salt, and/or snow plow	5 <sup>th</sup> St. S. (south of 1 <sup>st</sup> Ave. S.)
	Sand, salt, and/or snow plow	3 <sup>rd</sup> Ave. S. (5 <sup>th</sup> St. S. to Maine St.)
	Sand, salt, and/or snow plow	Central Ave. (Maine St. to 6 <sup>th</sup> St. S.)
	Sand, salt, and/or snow plow	6 <sup>th</sup> St. S. (Central Ave. to end of cul-de-sac)
	Sand, salt, and/or snow plow	1 <sup>st</sup> Ave. S. (6 <sup>th</sup> St. S. to 7 <sup>th</sup> St. S.)
	Sand, salt, and/or snow plow	7 <sup>th</sup> St. (1 <sup>st</sup> Ave. S. to 1 <sup>st</sup> Ave. N.)
	Sand, salt, and/or snow plow	1 <sup>st</sup> Ave. N. (7 <sup>th</sup> St. N. to Maine St.)
	Sand, salt, and/or snow plow	3 <sup>rd</sup> Ave. N. (3 <sup>rd</sup> St. N. to 8 <sup>th</sup> St. N.)
	Sand, salt, and/or snow plow	4 <sup>th</sup> Ave. N. (3 <sup>rd</sup> St. N. to 8 <sup>th</sup> St. N.)
	Sand, salt, and/or snow plow	Intersection of Hwy 95 and 56 <sup>th</sup> St. N.
	Sand, salt, and/or snow plow	Intersection of 6 <sup>th</sup> St. N. and 5 <sup>th</sup> Ave.)
	Sand, salt, and/or broom	City sidewalks at City Hall and Fire Hall
	Sand, salt, and/or broom	Sidewalks abutting public property
	Sand, salt, and/or broom	Sidewalks on the city's sidewalk route

The following guidelines identify and prioritize snow control/removal areas in the city, as well as the appropriate method of snow control/removal, based on the amount of snowfall:

<u>Snowfall</u>	<u>Snow control/removal method</u>	<u>Area</u>
More than 2 inches	Snow plow	City Hall driveway, parking lot, sidewalks
	Snow plow	Fire Hall driveway, parking lot, sidewalks
	Snow plow	Public Works driveway, parking lot
	Snow plow	Andersen Elementary drop-off areas
	Snow plow	All city streets
	Sand and salt	All city streets
	Broom, sand, and salt	City sidewalks adjacent to public property
	Broom, sand, and salt	City sidewalks on the city's sidewalk route
	Snow plow	All city alleys
	Snow plow	Ice road, cemetery, ice rinks, public parks

## SECTION V. RESTRICTIONS ON SNOW CONTROL OR REMOVAL

To minimize traffic congestion, safety concerns, and liability, the city has established the following snow control and removal restrictions, as follows:

<u>Restricted Times</u>	<u>Area</u>
7:00 - 9:15 a.m.	Andersen Elementary School student drop-off
2:30 - 4:15 p.m.	Andersen Elementary School student pick-up
4:00 - 9:00 p.m.	Perro Park ice rinks (weekdays)
12:00-9:00 p.m.	Perro Park ice rinks (weekends and school holidays)
All	Private property, except in an emergency, authorized by the Public Works Supervisor or the Police Department.

## SECTION VI. DEVIATION, REVIEW, AND MODIFICATION OF POLICY

The Public Works Supervisor may deviate from this policy when it is in the best interest of the city or as necessary, due to weather conditions, budget reasons, or other circumstances. Deviations shall be documented as to why the deviation was necessary, and for how long it will be in effect. City employees and/or contractors affected by a deviation will be notified immediately by radio or cell phone.

This policy will be reviewed periodically and may be modified, if it is in the best interest of the city. Comments and complaints will be taken into consideration during the review and modification process.

## SECTION VII. ADOPTION

This policy becomes effective upon adoption by the City Council.

ADOPTED \_\_\_\_\_



**CITY OF BAYPORT**  
**294 NORTH THIRD STREET**  
**BAYPORT, MINNESOTA 55003**  
**PHONE 651-275-4404 FAX 651-275-4411**

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**Date:** January 24, 2011  
**To:** Mayor and City Council  
**From:** Mitch Berg, City Administrator  
**Subject:** Authorization to carry over expenditures from 2010 to 2011 for the city building electrical lighting retrofit project

### ***BACKGROUND***

At the last meeting, I reported on a project I have been working on in conjunction with Xcel Energy to help make the city more energy efficient by replacing our existing electrical lights in city buildings. The consultant who was hired to conduct the energy audit predicted the city would see an immediate reduction in the amount of kilowatt usage and the city would also benefit with a sizable rebate through Xcel Energy.

While the city did increase the Municipal Building Fund by \$106,500.00 in 2011, this particular project was not included in the 2011 budget, because this project was initially scheduled to start in 2010. As a result, I am requesting authorization to carry over the expenditures and use the 2011 Municipal Buildings Maintenance Fund to cover the cost of the project. The total cost is \$23,117.92, but with the estimated \$9,939.00 the city will receive in rebates from Xcel Energy, the final cost is approximately \$13,179.00.

### ***RECOMMENDATION***

Staff recommends the City Council adopt a motion authorizing an expenditure of \$13,179.00 from the Municipal Buildings Maintenance Fund #415 for the city building electrical lighting retrofit project.



**CITY OF BAYPORT**  
294 NORTH THIRD STREET  
BAYPORT, MINNESOTA 55003  
PHONE 651-275-4404 FAX 651-275-4411

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Date: February 2, 2011

From: Mitchell Berg, City Administrator

To: Mayor St. Ores and City Council

RE: January Update

**Since the January City Council meeting:**

- Staff has been busy preparing for the 2010 audit
- I have been engaged in continued union negotiations
- Staff held the preconstruction meeting on the 2011 I&I Project (set to begin late February or March)
- Staff sent out a postcard to notify property owners of the franchise fee that will be on their upcoming Xcel Energy utility bill
- Staff has been working on a city newsletter to be distributed in early March. It is the intention of the city to send out four newsletters this year. The city has budgeted for two publications and is looking for sponsors to help contribute toward the cost of the two additional newsletters.
- Staff added a flood information page to the city's website which includes tips on how to obtain flood insurance, how to prepare a home for a flood, National Weather Service flood predictions, and volunteer opportunities.

**Flood preparations:**

The National Weather service has predicted an 80-90% chance of moderate flooding (688 ft.) and a 70-80% of major flooding (689 ft.) along the St. Croix River. Staff has already begun the process of obtaining sandbags and will have bags available for private property owners to use if they so desire. Due to limited city resources, property owners requesting bags will need to secure their own transportation to pick up the bags. Staff will release an email blast and website posting when the bags are available for pick up. Please encourage residents to visit the city's website for more flood information, to sign up for email blast updates, or to volunteer to help with flood preparation and sand bagging.

**Budget update:**

As staff wraps up the 2010 year-end financial reports, I become more optimistic each day that we will end the year in the **black!** This is especially encouraging news after the GOP House and Senate have just announced their plans to reduce aids and credits to primarily local governments by approximately \$580 million.

As the city continues to look at ways to control costs, I want to highlight some of the recent cost saving measures the city has undertaken:

- Switched the comprehensive health insurance plan from Medica to Health Partners effective January 1, 2011. The result is an approximate cost savings of 26%<sup>1</sup> to the city.
- Selected Schlenner and Wenner as the city's auditing firm for 2010, with an option of extension for 2011 and 2012. As a result, the city will virtually cut its auditing fees in half, and save approximately \$10,000.

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<sup>1</sup> This is an approximate cost based on the 2011 Medica proposed renewal rates

**Grants:**

The city was recently notified that it was awarded the following grants:

- The Metropolitan Council has granted the city \$56,314 to be spent toward an Inflow and Infiltration (I&I) sewer lining and main repair project to begin early spring of 2011. This is a 50/50 matching grant; the city will be reimbursed for the grant funds at the conclusion of the project.
- Middle Saint Croix Water Management Organization (MSCWMO) applied and received a St. Croix River Association (SCRA) grant to help the communities along the St. Croix River mitigate storm water run-off. The city will be providing a \$4,000 in-kind match, while the MSCWMO will contribute a \$3,000 in-kind match and the SCRA will contribute a \$8,000 cash match.

Staff has been also working on a number of other smaller grants and will update the City Council on the progress of these grants over the next few months.

**Important dates/meetings:**

February 9, 2011	5:30 p.m.	Public Works Department Orientation
February 16, 2011	5:30 p.m.	Library Orientation
February 21, 2011		Presidents Day - City Hall is closed
February 22, 2011	6:00 p.m.	Planning Commission meeting
February 23, 2011	5:30 p.m.	Police Department Orientation
March 7, 2011	6:00 p.m.	City Council meeting