

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 1, 2006
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of May 1, 2006, to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Rick Schneider, Councilmembers Connie Carlson, Dan Johnson, Jon Nowaczek, and Sharon Ridgway

Members Absent: None

Others Present: Administrator Mike McGuire, Administrative Assistant/Planner Sara Dietsche-Taylor, Attorney Laura Domagala, Police Chief John Gannaway, Public Works Supervisor Mel Horak, and Engineer Barry Peters

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. Mayor Schneider announced \$30.00 recycling awards for the month of April 2006 were given to Jim Kosmo, Scott Laiti, and Bill Johnson.

OPEN FORUM

1. Councilmember Carlson clarified the resident boat trailer parking program for 2006.
2. Councilmember Carlson reminded residents of the citywide garage sale that is scheduled for June 2-3, 2006. Ginny Peulen is coordinating the event.
3. John Noreen, 330 3rd Street South, expressed concern that overnight boat trailer parking is not allowed at Lakeside Park, as well as the impact the city's new parking regulations will have on launching boats at the private marinas. He also inquired as to placement of a dock at the 4th Avenue boat launch.
4. Gloria Sell was introduced. She will be joining the city on May 10th as the new finance officer.

CONSENT AGENDA

Mayor Schneider read items 1-8 on the consent agenda. Discussion followed on the Anderson Race Management request to hold a run through Bayport on August 26th.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

Resolution 06-13

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS 1-8 FROM THE MAY 1, 2006 CITY COUNCIL
AGENDA**

1. April 3, 2006 City Council regular meeting minutes
2. April payables and receipts
3. April building, plumbing and mechanical permits
4. Donation request from American Legion for Memorial Day Parade

5. Promotion of Laura Eastman to Sergeant on the Bayport Police Department
6. Request by Anderson Race Management to allow running race through Bayport
7. Renewal of city's property and liability insurance
8. Renewal of insurance brokerage agreement with A. J. Gallagher

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

Rick Schneider – aye	Jon Nowaczek – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

Mayor Schneider administered the Oath of Office to Laura Eastman, who has been promoted to the rank of Sergeant with the Bayport Police Department.

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the Cable Commission met on April 19, 2006. Discussion centered on updating the editing suite for staff to provide more public time, a new full-time staff position, extended Saturday hours, approving the revised budget, and a subcommittee to work on an agreement with the Lower St. Croix Valley Joint Cable Commission . The next meeting is scheduled for June 21, 2006, 7:00 p.m. at the Valley Ridge Mall.

Councilmember Nowaczek reviewed the Bayport Public Library Board's meeting of April 27, 2006. Next year's budget was the main topic of discussion. He also reported the library achieved a record number of circulations in March, the master gardener program has been rescheduled to May 18th, and the Stillwater community education brochures have incorrect information for Bayport Library events. Residents should consult the library's website for accurate information. The next meeting is scheduled for Thursday, May 25, 2006, 6:30 p.m., at the library.

Councilmember Carlson reported the Middle St. Croix Watershed Management Organization (MSCWMO) did not have a regular meeting in April. A subcommittee met April 26th to discuss the storm sewer project. She reported the MSCWMO will pursue funding for the 4th Avenue route, if this is the preferred route. The next meeting is scheduled for May 11, 2006, 7:00 p.m., Valley Ridge Mall.

Councilmember Johnson reported the Andersen Corporation XL permit is in the final review stages with the MPCA, and a meeting is scheduled for May 4th at 1:00 p.m. to discuss the application. Additional information is available on the MPCA's website.

UNFINISHED BUSINESS

Renewal of agreement with Andersen Corporation for boat launch parking in the lot on 4th Avenue North: Administrator McGuire noted the agreement is similar to last year's agreement, with parking for up to 20 vehicles for Bayport residents only, with the purchase of an annual \$10.00 sticker. City staff will work with Andersen staff regarding placement of waste receptacles and a portable toilet, if needed, at the site.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to accept renewal of the agreement with Andersen Corporation for boat launch parking in the lot on 4th Avenue North. Motion carried.

Discuss painting of the municipal water storage tank: Engineer Peters reviewed the findings of the inspection on the city's existing ground reservoir tank. The interior and exterior of the tank are in need of complete surface removal and resurfacing. He reviewed two options for completing the work, the traditional design/bid/build method and a professional services agreement that would spread out the costs for the initial painting and provide for extended maintenance services (design/build). The work will be completed in August, after the new ground reservoir in Baytown is functional. Discussion followed on long-term maintenance for the reservoir and associated costs. Russ Brown, representative of the SEH professional services subsidiary, spoke to the benefits of the design/build option. City staff stated they need additional time to consider the options and will bring a recommendation to the next meeting.

It was moved by Councilmember Nowaczek and seconded by Councilmember Carlson to continue this discussion to the June meeting. Motion carried.

Consider amending the city's lawful gambling ordinance: Attorney Domagala reviewed the revised ordinance that incorporates the changes recommended at the last meeting. The new provisions would take effect January 1, 2007. Staff recommended approval of the ordinance.

Councilmember Johnson introduced the following ordinance and moved its adoption:

Ordinance #779

**ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING SECTION 10-26, 10-33 AND 10-42 OF THE BAYPORT CITY CODE RELATIVE
TO BINGO, RAFFLES, ETC.**

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

Rick Schneider – aye	Jon Nowaczek – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

Consider adoption of a peddler/solicitor ordinance: Attorney Domagala reviewed a draft ordinance for peddler and solicitor activity within the city. Police Chief Gannaway answered questions regarding exemptions, e.g., Girl Scout cookie sales, the need for the ordinance, and how complaints would be handled. Staff recommended approval of the ordinance.

Councilmember Carlson introduced the following ordinance and moved its adoption:

Ordinance #780

**ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
AMENDING CHAPTER 22 - BUSINESSES OF THE BAYPORT CITY CODE REGARDING
REGULATION OF PEDDLERS AND SOLICITORS**

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

Rick Schneider – aye	Jon Nowaczek – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

Award bids for the South Minnesota Street Utility Project: Engineer Peters stated four bids for this project were opened April 25, 2006. Two different bids were solicited, a base bid for the utility extension, as well as an alternate bid for the utility extension, plus paving of Oakwood Street South.

The low bid for the total base bid, including alternate 1, was \$444,738.95, submitted by Pember Companies, Inc., Menomonie, Wisconsin. The bid was below the engineer's estimate for the work. Staff recommended that an assessment hearing be held prior to bid award and the date for the hearing be set for the June 2006 City Council meeting. Staff also recommended that SEH be authorized to proceed with the required easement acquisitions.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to hold an assessment hearing for the South Minnesota Street Utility Project at the June 2006 City Council meeting, and to authorize SEH to proceed with acquisition of the easements necessary for the project. Motion carried.

Consider obtaining appraisals for the South Minnesota Street Utility Project: Administrator McGuire stated that staff does not recommend the appraisal expenditure of \$1,000.00 to \$2,000.00 per lot at this time. Appraisals would be requested if the outcome of the assessment hearing so dictates.

Consider changing date of the June City Council meeting: Councilmember Johnson stated he is unable to attend the regularly scheduled June 5th meeting.

It was moved by Councilmember Johnson and seconded by Councilmember Ridgway to schedule the regular meeting of the Bayport City Council for Monday, June 12, 2006. Motion carried.

Consider proposals for purchase of a new water meter system: Bids were received from three firms for two types of automatic meter reading systems---a drive-by system and a fixed network system, based on the purchase of 1,200 new meters. The bids for the different systems were reviewed. Staff noted additional time is needed to analyze the systems and bid results.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to continue this discussion to the next meeting. Motion carried.

NEW BUSINESS

Consider feasibility study for improvements to 4th Avenue North: Engineer Peters reviewed the results of the feasibility study for improvements to 4th Avenue North, from Maine Street North to the river, which could provide access for the Perro Creek state storm sewer project. The estimated cost for the project is \$264,693.00. Andersen Corporation, as the sole adjacent property owner, would be assessed 50 percent of the improvements, and the city would pay 50 percent (\$132,346.50). The improvements would result in parking space for 12-15 boat trailers. Discussion followed on ongoing talks with Andersen Corporation and the MSCWMO, noting that the 4th Avenue North improvements and storm sewer project should proceed together to realize the optimal use of funds. Susan Roeder, Andersen Corporation, stated they would like to work with the city and MSCWMO in resolving the state storm sewer project issue and offered their assistance in relocating the boat launch. Staff recommended continuing the discussion to a future meeting.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to continue the discussion to the next meeting. Motion carried.

Consider a petition by residents to surface a city alley with asphalt: Administrator McGuire reviewed a petition by a group of residents requesting the paving of the alley serving their property. The alley is located in Block 33, behind the library, between 4th and 5th Avenues North and 4th and 5th Streets North. He stated the city would like to investigate paving 2-3 other unimproved roadways within the city at the same time. A feasibility study would be required and staff requested approval to authorize

the feasibility study. There may be some drainage issues with the alley behind the library that may increase the feasibility study costs.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to authorize SEH to do a feasibility study for the alley improvement as petitioned by the residents in Block 33 at a cost not to exceed \$700.00, and to look at 2-3 other alleys as requested by staff. Motion carried.

COUNCIL ITEMS/ANNOUNCEMENTS – None

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

Water Update: The timeline for the Air Stripper Improvement Project for well #2 was reviewed. The air stripper should be functional March 1, 2007, with final completion by June of 2007. Engineer Peters reviewed the building that would house the air stripper and presented scenarios for architectural styles for the City Council to consider. The City Council directed staff to consult with CPDC for preference in architectural styles and options for cost sharing the expense.

ADJOURNMENT

It was moved by Councilmember Johnson and seconded by Councilmember Ridgway to adjourn the meeting at 7:42 p.m. Motion carried.