

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
DECEMBER 4, 2006  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of December 4, 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, Jonathan Nowaczek, and Sharon Ridgway

Members Absent: None

Others Present: Administrator Mike McGuire, Police Chief John Gannaway, Engineer Barry Peters, Administrative Assistant/Planner Sara Taylor, and Attorney Mark Vierling

Administrator McGuire requested the following changes to the published agenda:

1. Removal of item #12, "Final acceptance of Phase I Inspiration street and utility improvements," from the consent agenda, as there are outstanding items to be resolved;
2. Postponement of the closed session to discuss pending litigation;
3. Addition of "Termination agreement with Verizon Wireless" to New Business.

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. Mayor Schneider announced \$30.00 recycling awards for the month of November were given to Donald Coakley, Shain Henry, Samantha Thomas and Don Springer.
2. Mayor Schneider introduced and welcomed Councilmember-elect Torry Kraftson, who will take office January 1, 2007.

**OPEN FORUM**

1. Dick Beberg, 237 North 5<sup>th</sup> Street, requested that a building/monument be erected to recognize the history of Bayport and achievements of its citizens and businesses.
2. Mayor Schneider reminded residents of the Village Green lighting events on Thursday, December 7, 2006, beginning at 6:00 p.m.

**CONSENT AGENDA**

Mayor Schneider read items 1-12 on the consent agenda, noting that item #12 was being removed from the consent agenda.

Mayor Schneider introduced the following resolution and moved its adoption:

**Resolution 06-39**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
APPROVING CONSENT AGENDA ITEMS 1-11 FROM THE DECEMBER 4, 2006 CITY  
COUNCIL AGENDA**

1. November 13, 2006 City Council regular meeting minutes
2. November payables and receipts
3. November building, plumbing and mechanical permits
4. Tobacco license renewals for 2007

5. Liquor license renewals for 2007
6. Designating January 8, 2007 as the next City Council meeting date
7. Middle St. Croix River Watershed Management Organization funding for 2007
8. Increase in retirement benefits for Fireman's Relief Association
9. PERA part-time officer's declaration (*Resolution 06-40*)
10. Budgeted fund transfers
11. Fire protection and rescue service contracts

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  
Connie Carlson – aye  
Dan Johnson – aye

Jon Nowaczek – aye  
Sharon Ridgway – aye

#### **PUBLIC HEARINGS - None**

#### **COUNCIL LIAISON REPORTS**

Councilmember Ridgway invited residents to the Cable Commission's annual Santa Christmas party that will be held Saturday, December 9, 2006, 12:00 noon-2:30 p.m. at the cable studio at Valley Ridge Mall. The next meeting of the Cable Commission will be held in February 2007.

Councilmember Nowaczek reported on the November 16, 2006 Bayport Public Library Board meeting. The next meeting of the Bayport Library Board is scheduled for Thursday, December 21, 2006, 6:30 p.m., at the library.

#### **UNFINISHED BUSINESS**

Review and discuss proposed bath house design for Lakeside Park and consider authorization for Sanders, Wacker, Bergly, Inc., in association with Mark Lenz Architects to prepare construction documents, assistance during bidding, and construction observation for Phase I improvements at Lakeside Park: Larry Wacker gave a brief overview of the park plan and provided additional information on the proposed beach curtain. He believes the beach curtain could work at Lakeside Park with more design work. He projects the installation cost at approximately \$20,000, with ongoing maintenance costs. The life expectancy of a beach curtain is 10 years. Councilmembers expressed their concerns with placing a curtain on the St. Croix River with its fluctuating water levels.

Mark Lenz highlighted changes to the design concept for the bath house, reviewed the park shelter upgrades, and answered questions from the City Council. Discussion followed on the economics of and approvals needed for a bath house deck, as well as other options for the bath house.

Warren Utecht, 832 Minnesota Street South, asked about pollution monitoring of the beach area water and whether the need for a beach curtain had been documented. Dick Beberg, 237 North 5<sup>th</sup> Street, shared weather and beach condition statistics he had gathered and questioned beach use by Bayport residents. Warren Utecht encouraged the use of maintenance-free building materials. Beth Utecht shared comments on the proposed plans, including the need for beach lifeguards.

Administrator McGuire recommended that the suggestions discussed tonight be brought back to the next meeting rather than scheduling a workshop. He recommended that a motion be made to authorize funding for continued work on the project.

Discussion followed on the need for further refining the concept plans prior to awarding a contract to prepare construction documents, bid letting, and construction observation. Mr. Wacker indicated he would like some type of contract with the city to proceed with the next phase of work.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to authorize the City Administrator to enter into an agreement with Sanders, Wacker, Bergly, in association with Mark Lenz Architects and Larson Engineering, to continue to provide planning assistance for Phase I Lakeside Park improvements, at a cost not to exceed \$30,000.00. Motion carried.

Hazelwood Cemetery Advisory Commission update: Staff provided an update on the advisory commission's progress in reviewing Hazelwood Cemetery's rules and regulations. Recommendations are scheduled to be brought to the January 2007 City Council meeting for consideration.

### **NEW BUSINESS**

Consider amending the fee schedule ordinance to reflect 2007 fees: Administrator McGuire reviewed the proposed updates for the 2007 city fee schedule.

Councilmember Ridgway introduced the following ordinance and moved its adoption:

**Ordinance No. 784**

### **AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, AMENDING APPENDIX D, FEE SCHEDULE, OF THE BAYPORT CITY CODE**

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  
Connie Carlson – aye  
Dan Johnson – aye

Jon Nowaczek – aye  
Sharon Ridgway – aye

Consider adjustments to the city employee salary step schedule: Administrator McGuire reviewed the three proposed adjustments, noting they were included in the 2007 budget:

1. *Increasing the hourly rate for part-time police officers from \$11.33 per hour to a maximum of \$15.33 per hour, based on years of experience.* Discussion followed on the need to attract qualified police officers.
2. *Reclassifying the Administrative Assistant/Planner position to Assistant City Administrator.* The reclassification would better reflect Sara Taylor's current job duties.
3. *Adding Step 8 to the city employee salary step schedule.* This is being proposed to provide a consistent 8 steps for each grade level and create an incentive for longer term employees who are currently at or near step 7. Grade 14, City Administrator, is currently the only level with a step 8. Employees currently at step 7 would be eligible for an increase to step 8 on their next anniversary date.

Staff recommended approval of the three proposed adjustments.

Discussion followed retaining competent staff and the need to compensate them fairly. Proposed changes would be effective January 1, 2007.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to increase the 2007 hourly wage for part-time police officers from \$11.33 per hour to a maximum \$15.33 per hour; to reclassify the Administrative Assistant/Planner position (grade 5, step 7) to Assistant City Administrator (grade 9, step 2) and adjust the salary step schedule to reflect the new position; and to add a step 8 to the employee salary step schedule for all positions, except City Administrator (which currently has a step 8) and positions covered by contract. Motion carried.

Consider termination agreement with Verizon Wireless: Administrator McGuire explained that Verizon Wireless wanted to pay the City of Bayport \$24,400.00 to buy out their site lease with the city for a communications tower located at 4667 Stagecoach Trail. He recommended approval of the termination agreement.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to authorize the City Administrator to sign the termination agreement with Verizon Wireless, LLC, for property located at 4667 Stagecoach Trail, on behalf of the City of Bayport. Motion carried.

#### **COUNCIL ITEMS/ANNOUNCEMENTS – None**

#### **ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS**

1. Water Update: The 3<sup>rd</sup> quarter water quality report from the Minnesota Department of Health showed a slight decrease in the TCE level at 5.4 ppb, down from 5.6 ppb the previous quarter. The overall annually average remains at 5.5 ppb.
2. Administrator McGuire acknowledged and thanked outgoing Mayor Rick Schneider for his service to the City of Bayport.

#### **ADJOURNMENT**

It was moved by Councilmember Carlson and seconded by Councilmember Ridgway to adjourn the meeting at 8:00 p.m. Motion carried.