

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER
MARCH 3, 2008
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of March 3, 2008 to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Jon Nowaczek, Councilmembers Connie Carlson, and Dan Johnson

Members Absent: Councilmembers Torry Kraftson and Sharon Ridgway

Others Present: Administrator Mike McGuire, Engineer Barry Peters, Assistant Administrator/Planner Sara Taylor, and Attorney Nick Vivian

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. The recycling award for February went to Lee and Maggie Stoerzinger.

OPEN FORUM

1. Sue Schultz, Bayport Senior Center Program Manager, spoke on behalf of the Bayport American Legion Post #491, the Bayport Women's Auxiliary, Bayport Senior Center participants and the residents of Bayport regarding installation of a handicapped parking space adjacent to the accessible ramp in front of the Bayport Legion, 263 3rd Street North. She indicated business owners on the block are in favor of designating a handicapped parking space, and that patrons of the American Legion and the Senior Center have signed a petition requesting this parking space. Administrator McGuire noted that city staff may need to work with MnDOT on this request, if approved by the City Council.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to direct city staff to pursue the installation of a handicapped parking space in front of the Bayport American Legion. Motion carried.

CONSENT AGENDA

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

Councilmember Johnson introduced the following resolution and moved its adoption:

Resolution 08-04

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING
CONSENT AGENDA ITEMS 1-8 FROM THE MARCH 3, 2008 CITY COUNCIL AGENDA**

1. February 4, 2008 City Council regular meeting minutes
2. February 11, 2008 City Council workshop minutes
3. February payables and receipts
4. February building, plumbing and mechanical permits
5. Designating June 14th as Citywide Cleanup Day for 2008
6. Accepting \$45,000.00 grant for the Bayport Fire Department from the Hugh J. Andersen Foundation
7. Information plaque for ice harvesting equipment at Lakeside Park

8. Overtime pay for part-time police officers

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

Jon Nowaczek – aye
Connie Carlson – aye
Dan Johnson – aye

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Johnson reported on the Bayport Public Library Board meeting of February 28, 2008. The annual Author’s Luncheon, which is the library’s main fundraiser, is scheduled for Saturday, April 5th at 11:30 a.m. Tickets cost \$25.00 and everyone is encouraged to attend. The next meeting is scheduled for Thursday, March 27, 2008, 6:00 p.m., at the library, and is open to the public.

Councilmember Carlson reviewed the Middle St. Croix Watershed Management Organization (MSCWMO) meeting of February 14, 2008. A subcommittee will be addressing the issue of revising the boundaries of the area WMOs, to eliminate double-billing caused by overlapping boundaries. A hiring committee will be recruiting a new administrator for the MSCWMO, with the departure of Melissa Lewis on February 22nd. The next meeting of the MSCWMO is scheduled for March 12, 2008, at 7:00 p.m.

Councilmember Carlson stated that the Lower St. Croix Partnership would be meeting on Wednesday, March 19, 2008, 7:00 p.m., at the St. Croix County Government Center.

UNFINISHED BUSINESS

Review of Allied Waste fees: Administrator McGuire stated that the contract with Allied Waste was approved at the January 7, 2008 meeting; however, in finalizing the contract, staff discovered there was a discrepancy whether the contracted monthly fee included the pickup of yard waste. Rich Hirstein, Allied Waste Services, apologized for the confusion caused by his remarks at the January City Council meeting and indicated residents have paid for curbside yard waste pickup as an optional service since before 2000. Residents pay \$2.50 per bag or \$48.00 per year for unlimited yard waste service. As a show of good faith, Allied Waste will bear the cost of disposing of bagged grass clippings and bagged leaves at the June 14th city-wide cleanup day. Mayor Nowaczek reviewed the items that would be accepted from Bayport residents at the cleanup day event on Saturday, June 14, 2008.

Consider approval of miscellaneous items at Lakeside Park:

- Review of outdoor furniture for deck: Larry Wacker, Sanders, Wacker and Bergly, reviewed a 36-inch deck table with four attached chairs that could be tethered to the deck and allow for some flexibility in placement. He recommended observing user patterns this first year and possibly adding benches and/or freestanding chairs to the deck in the future. Table umbrellas were not recommended at this time.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to approve the purchase of three Camino 36-inch round tables with attached chairs at the price of \$875.00 each, for the bathhouse north deck. Motion carried.

- Operation and rental policy for bathhouse: Mayor Nowaczek read an email from Councilmember Kraftson regarding his thoughts on the bathhouse operation and rental. He would like the building to pay for itself through rentals during April-October and believes the north deck should always be available for public use, with the option of reserving the south patio. He is not in favor of concessions or lifeguard this first year of operation. In addition, Administrator McGuire reported that Councilmember Ridgway believes it is important that the bathhouse be available for general public use, as opposed to promoting private reservations that generate income. Additionally, she would like to have some concessions available and a beach attendant, especially during the summer months. Councilmember Carlson believes both patios should be available for general use, would like the bathhouse available for Bayport residents to reserve, and would like to see income generated through rentals. She is in favor of having concessions available but not via vending machines. Councilmember Johnson would like to have a limited rental policy this first summer, especially for events that could make use of the kitchen equipment. Mayor Nowaczek noted four issues to address: park hours, attendant use, concessions availability, and the scheduling/reservations policy. He envisions the bathhouse as an added amenity for people who want to enjoy the beach versus generating substantial income. He also sees the renovated bathhouse and services as a draw for increased park usage and believes a “deluxe” approach this first year would result in better retention long-term. He recommended having an attendant, concessions, a reservation policy and revising the park hours, possibly closing later than 9:00 p.m. Councilmembers were in favor of hiring an attendant and a limited reservations policy. Discussion followed on having the concessions area accessible to the public, concession hours, and deposit fees. Based on tonight’s discussion, staff was directed to bring back recommendations for final approval at the next meeting.
- Contract with Sanders, Wacker, Bergly for completion of design services for Phase I improvements: Administrator McGuire reviewed a request to enter into a contract with Sanders, Wacker, Bergly for an additional \$9,745.00 to complete the design services for the Phase I improvements at Lakeside Park. The fee was included in the amount approved by the City Council at the last meeting, and staff recommended approval of the expenditure.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to approve the proposal of \$9,745.00 for architectural fees for landscape architectural services at Lakeside Park. Motion carried.

- Review of rock material for signage: Mr. Wacker reviewed design and material options (limestone or granite) for the park entry sign. It is estimated the rock sign would cost \$5,000.00. Discussion followed on the signage and the information that would be engraved on the sign. Councilmembers recommended using limestone for the park entry sign.

Consider an amendment to Section 703, Appendix B – Zoning Ordinance of the Bayport City Code: Assistant Administrator/Planner Taylor reviewed further revisions to Section 703, Accessory Buildings and Structures. At the February meeting, councilmembers had requested more flexibility with these structures on larger residential lots. The proposed change allows the maximum area size for a garage in the R-1 and R-2 residential districts to be the lesser of 2,000 square feet or 10% of the lot area. Councilmember Johnson recommended changing the door and/or access opening of a storage/tool/garden shed to a total of 42 square feet, to allow for a 7-foot high door.

Councilmember Johnson introduced the following ordinance and moved its adoption:

Ordinance No. 796

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AMENDING APPENDIX B, ZONING, 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:

Jon Nowaczek – aye
Connie Carlson – aye
Dan Johnson – aye

NEW BUSINESS

Consider a proposal to research and prepare a report for the Metropolitan Council to adjust population forecasts for the city's comprehensive plan: Engineer Peters reviewed a recommendation that the city formally request a change in the population forecasts projected by the Metropolitan Council as part of the city's comprehensive plan update. The proposed household population numbers reflect a decrease of 350 in 2010, 650 in 2020, and 850 in 2030, from the original Metropolitan Council plan numbers. Councilmembers believed the proposed population numbers were reasonable.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to propose to the Metropolitan Council that the population forecasts for the City of Bayport be modified to reflect the following total population numbers: 4,250 in 2010, 4,650 in 2020, and 5,150 in 2030, noting that these numbers include a prison population of 1,400 yearly. Motion carried.

Consider approval of the Public Works Department employment contract: Administrator McGuire reviewed the proposed contract changes relating to overtime pay, vacation days, uniform allowance, wage increases, and incorporating the new education incentive plan into the contract. He also acknowledged the union's cooperation in utilizing the Sentence-to-Serve program. Staff recommended approval of the contract.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to approve the 2008-2010 Public Works Department employment contract. Motion carried.

Consider awarding a contract for Part II of the city's Wellhead Protection Plan: Administrator McGuire reviewed the background of implementing a wellhead protection plan as mandated by the Minnesota Department of Health. Part I has been completed, and quotes were recently received from two firms to complete Part II. Staff recommended approving the low quote of \$9,630.00 from Short Elliott Hendrickson, Inc. to complete Part II of the plan. The city would be obligated to follow through on improvements identified by the plan. Administrator McGuire does not anticipate huge costs associated with potential recommendations, although there would be continuous monitoring and some education costs.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to authorize the low quoter, Short Elliott Hendrickson, Inc., of St. Paul, Minnesota, to complete the Minnesota Department of Health Wellhead Protection Plan - Part II, for an estimated cost of \$9,630.00, within the timeframe established by the Minnesota Department of Health, which is January 19, 2010. Motion carried.

COUNCIL ITEMS/ANNOUNCEMENTS

1. Councilmember Carlson noted the following events:

- The 5th annual Easter egg roll is scheduled for Tuesday, March 11th, 11:00 a.m., at the Bayport Public Library. The event is sponsored by the Bayport Public Library and the Bayport Senior Center.
- “The Price is Right” will be played at the Bayport Senior Center on Monday, March 31st at 12:30 p.m.
- There will be a fundraiser breakfast for Dane’s Place at the Bayport American Legion on Sunday, April 20th, 8:00 a.m. – 12 noon. The goal is to promote Dane’s Place as a community project.

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Workshop: The City Council will be holding a workshop on Monday, March 10th, at 4:30 p.m. to discuss future city projects and the use of special city funds.

ADJOURNMENT

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to adjourn the meeting at 7:35 p.m. Motion carried.