

**CITY OF BAYPORT  
CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
NOVEMBER 13, 2006  
6:00 P.M.**

**CALL TO ORDER**

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of November 13, 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, Planner Mike Darrow, Police Chief John Gannaway, Engineer Barry Peters, Administrative Assistant/Planner Sara Taylor, and Attorney Nick Vivian

**PROCLAMATIONS/COMMENDATIONS/PETITIONS**

1. Mayor Schneider announced \$30.00 recycling awards for the month of October were given to Charles Lutz, Joseph Crawford, Ruby Kaske, and Andrew Junker.
2. Mayor Schneider recognized Tom Lind for 20 years of service on the Bayport Fire Department upon his retirement from the department.

**OPEN FORUM**

1. Mayor Schneider recognized and thanked Nancy McPherson for her many years of service as head election judge.
2. Mayor Schneider thanked the Bayport Fire Department and Police Department for their efforts on Halloween evening. He also recognized the Binkley's for their Halloween display.
3. Mayor-elect Nowaczek, Councilmember-elect Torry Kraftson, and Councilmember Johnson were congratulated on their recent City Council election victories.

**CONSENT AGENDA**

Mayor Schneider read items 1-15 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

**Resolution 06-31**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
APPROVING CONSENT AGENDA ITEMS 1-15 FROM THE NOVEMBER 13, 2006 CITY  
COUNCIL AGENDA**

1. October 2, 2006 City Council regular meeting minutes
2. October 16, 2006 Special City Council meeting minutes
3. October payables and receipts
4. October building, plumbing and mechanical permits
5. Canvassing the tabulation of votes and declaring the results from the 2006 General Election
6. Special event application from BCAL for the holiday lighting of Village Green Park
7. Washington County All-Hazard Mitigation Plan (*Resolution 06-32*)
8. Authorization to hire Nick Loperfido as a part-time police officer
9. Snowplowing contract with the State of Minnesota for Highway 95

10. PERA part-time officers' declaration (*Resolution 06-33*)
11. Certification of past due water and sewer bills to 2006 property taxes
12. Salary step and cost of living adjustments for 2007
13. Certification of past due waste collection bills to 2006 property taxes
14. Final payment to F & K Trucking for Baytown water main extension
15. Change orders 3 – 6 for water booster station in Inspiration

The motion for adopting the foregoing resolution 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	

## **PUBLIC HEARINGS** - None

## **COUNCIL LIAISON REPORTS**

Councilmember Ridgway reported on the Cable Commission meeting of October 18, 2006. Items of discussion included recent purchases, a minor fee increase, recent grants, Comcast NHL web casting, and renewal of the agreement with the Lower Valley Cable Commission. Residents are invited to the annual holiday party that will be held December 9, 2006, 12:00 noon-2:30 p.m. at the cable studio. The next meeting has not been scheduled.

Councilmember Nowaczek reported on the October 26, 2006 Bayport Public Library Board meeting. The museum pass program has been very successful and will continue until funding runs out. The First State Bank of Bayport will be contributing book bags, and the Bayport Library Foundation will be funding a long-range strategic planning process for the library. The next meeting of the Bayport Library Board is scheduled for Thursday, November 16, 2006, 6:30 p.m., at the library.

Councilmember Carlson was unable to attend the November Middle St. Croix Watershed Management Organization (MSCWMO) meeting. The next meeting is scheduled for December 7, 2006, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Johnson indicated that the Lower St. Croix Partnership would be meeting at the St. Croix County Government Center on November 15, 2006, at 7:00 p.m. The public is encouraged to attend.

## **UNFINISHED BUSINESS**

Consider annexation of parcel(s) located in Baytown Township, east of Stagecoach Trail: Attorney Vivian clarified that one of the affected property owners, the Andersons, requested that the orderly annexation be contingent upon approval of the Lynskey & Clark development of their land. The revised proposed joint resolution states that the parcels in question would not automatically be annexed into the city, but rather, each landowner must file a petition requesting annexation, and annexation requests would be considered on a case-by-case basis. Kent Grandlienard, Baytown Chairman, spoke in favor of the joint resolution, stating Baytown would be agreeable to the agreement being in effect until 2015. Stating her desire to keep Bayport as small as possible, Councilmember Carlson noted that the development proposed for the Anderson property would most likely go forward whether or not the property is annexed into the city. Discussion followed on the pros and cons of adopting the joint resolution, noting that no land would be directly annexed via the resolution. Administrator McGuire stated that staff preferred deleting the 2015 date; however, with assurances of the township officials at

the recent joint meeting that this date could be adjusted if mutually agreed upon, it may not be as critical.

Councilmember Nowaczek introduced the following resolution and moved its adoption, with the amendment to insert the year 2015 in Section 8:

**Resolution 06-34**

**CITY OF BAYPORT AND TOWN OF BAYTOWN JOINT RESOLUTION: IN THE MATTER OF THE ORDERLY ANNEXATION OF INCORPORATED LAND BETWEEN THE CITY OF BAYPORT AND THE TOWN OF BAYTOWN PURSUANT TO MINNESOTA STATUTES §414.061**

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

Rick Schneider - nay	Sharon Ridgway - aye
Jon Nowaczek - aye	Connie Carlson - nay
Dan Johnson - aye	

Motion carried 3-2.

**NEW BUSINESS**

Consider calling a public hearing for the final layout and project report related to the St. Croix River Bridge: Administrator McGuire stated the city must hold a public hearing on the St. Croix River Crossing Project within 60 days of receiving the final layout, and staff recommended January 8, 2007 for the hearing. Nick Thompson, Minnesota Department of Transportation (MnDOT), explained the reason for the public hearing and answered questions from the councilmembers.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

**Resolution 06-35**

**RESOLUTION OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, CALLING FOR A PUBLIC HEARING AND AUTHORIZING THE PUBLICATION OF A NOTICE OF HEARING TO CONSIDER THE APPROVAL OF THE FINAL LAYOUT AND PROJECT REPORT RELATING TO THE ST. CROIX RIVER BRIDGE**

The motion for adopting the foregoing resolution 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 an appointment to the Bayport Public Library Board: Mary Goulette, 204 5<sup>th</sup> Street North, has applied to serve on the Bayport Public Library Board, replacing Mark Berthelsen.

It was moved by Councilmember Carlson and seconded by Councilmember Nowaczek to appoint Mary Goulette to fill the vacant seat on the Bayport Public Library Board for a term to expire on December 31, 2007. Motion carried.

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: Administrator McGuire reviewed the background of the project to date and this next step that would prepare construction documents for bidding. Councilmembers

expressed their concern with plans for the bathhouse and their desire to approve a concept plan prior to authorizing \$47,000 for the next phase. Concerns with the beach curtain were also expressed.

Torry Kraftson, councilmember-elect, suggested the City Council and Park Board Commission meet again with the park planners; however, Administrator McGuire recommended proceeding with the general recommendations of the planning process, with the revisions requested at tonight's meeting.

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

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to authorize city staff to spend up to \$3,000.00 to obtain new concept drawings for the beach house. Motion carried.

Consider authorization to complete mandated updates to the city's comprehensive plan:

Administrative Assistant/Planner Taylor reviewed the request to utilize the consulting services of SEH to complete a mandated update of the city's comprehensive plan. Staff recommended designating SEH to complete the updates at a cost not to exceed \$10,000.00. Discussion followed on coordinating the comprehensive planning with adjoining communities. SEH Planner Mike Darrow stated the plan must be updated by 2008, and that adjoining municipalities would have the opportunity to review each other's plans.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to authorize SEH to complete updates to the city's comprehensive plan at a cost not to exceed \$10,000.00. Motion carried.

Discuss and consider adoption of 2007 budget, capital improvement plan (CIP), and tax levy:

Administrator McGuire stated the final budget has not changed significantly since preliminary approval was given at the September 5, 2006 meeting. He reviewed the proposed budget, CIP, and tax levy. The proposed levy, \$930,391.00, is the same amount as 2006, which should result in a city property tax decrease.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

**Resolution 06-36**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, ADOPTING THE GENERAL FUND BUDGET, SPECIAL LIBRARY FUND BUDGET, DRUG FORFEITURE FUND BUDGET, WATER FUND BUDGET, SEWER FUND BUDGET, TRUNK WATER AND TRUNK SEWER UTILITY CAPITAL IMPROVEMENT FUND BUDGET, FIRE EQUIPMENT REPLACEMENT FUND BUDGET, PUBLIC WORKS EQUIPMENT REPLACEMENT FUND BUDGET, TAX STABILIZATION FUND BUDGET, RECREATION CAPITAL EQUIPMENT MAINTENANCE FUND BUDGET, AND PARK IMPROVEMENT FUND BUDGET FOR THE YEAR 2007**

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

Councilmember Nowaczek introduced the following resolution and moved its adoption:

**Resolution 06-37**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
ADOPTING THE 2007 FOUR YEAR CAPITAL IMPROVEMENT PLAN**

The motion for adopting the foregoing resolution 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

Councilmember Nowaczek introduced the following resolution and moved its adoption:

**Resolution 06-38**

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,  
CERTIFYING THE CITY OF BAYPORT’S LEVY TO WASHINGTON COUNTY FOR THE  
YEAR 2007 BUDGET AT \$930,391.00**

The motion for adopting the foregoing resolution was duly seconded by Councilmember Johnson 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

**COUNCIL ITEMS/ANNOUNCEMENTS**

1. Councilmember Ridgway invited residents to the annual “Lighting of the Green” at the Village Green on Thursday, December 7, 2006, from 6:00-8:00 p.m. Activities include a story hour at the library, tree lighting, singing, hot chocolate, and a visit from Santa Claus.

**ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS**

1. Water Update:
  - The treatment plant construction is underway. A physical sample of the building exterior was available for inspection.
  - The city will be flushing hydrants November 14-17, 2006.
  - The new booster station and refurbished water tank will come on-line November 14<sup>th</sup>.
2. Budget: Administrator McGuire thanked city staff, especially Finance Officer Gloria Sell, for assistance in preparing the 2007 budget.

**ADJOURNMENT**

It was moved by Councilmember Nowaczek and seconded by Councilmember Carlson to adjourn the meeting at 7:32 p.m. Motion carried.