

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

CALL TO ORDER

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of March 6, 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 Dan Johnson, Jon Nowaczek, and Sharon Ridgway

Members Absent: Councilmember Connie Carlson

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

PROCLAMATIONS/COMMENDATIONS/PETITIONS

Mayor Schneider announced \$30.00 recycling awards for the month of February 2006 were given to Mrs. Frank Lemke, Meredith Lake, and Annette Huntsman.

OPEN FORUM – None

CONSENT AGENDA

Mayor Schneider read items 1-13 on the consent agenda.

1. February 6, 2006 City Council regular meeting minutes
2. February payables and receipts
3. February building, plumbing and mechanical permits
4. Amending park usage ordinance
5. Amending fee schedule to include parking fees at Lakeside Park
6. A 3.2 off-sale liquor license for Holiday Station Stores (formerly Oasis Market)
7. Andersen waterline easement agreement
8. Resignation of Finance Officer Tom Westling and authorization to advertise for position
9. An ordinance allowing the city to charge administrative fines
10. Consider resolution approving PERA part-time police officer declaration (Res. 06-07)
11. MSCWMO agreement with SEH for Phase 3 of storm sewer project
12. Request for letter of reduction by CPDC for Inspiration
13. Amendment to TIF District 2-1 (Croixdale) (Res. 06-11)

Administrator McGuire requested that consent agenda item #7 be removed from the consent agenda.

Councilmember Ridgway introduced the following resolution and moved its adoption:

Resolution 06-06

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS 1-12 FROM THE MARCH 6, 2006 CITY
COUNCIL AGENDA**

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

Dan Johnson – aye

Sharon Ridgway – aye

PUBLIC HEARINGS

Consider submittal of an Outdoor Recreation Grant Application to the Department of Natural Resources (DNR): As part of the application process for a DNR Outdoor Recreation Grant application, tonight's hearing was held to obtain citizen input on the proposed grant application. Administrative Assistant/Planner Dietsche noted the grant would provide additional funding to complete improvements in Lakeside Park, as identified in the master park plan. The city budgeted \$270,000.00 in 2006 for three major facilities---the bathhouse/restroom building, playground equipment for younger children, and picnic shelters. The city's goal in making these improvements is to rejuvenate the park and create a functional and safe environment for recreational activity. The city is requesting a matching grant from the DNR that would allot up to \$540,000.00 to improve or replace the deteriorating facilities. Parking, stormwater management, signage, and landscaping improvements would be made when the three major projects are completed. The source of funding for the park improvements would come primarily from park dedication fees generated by the new Inspiration development. The proposed maintenance expenses associated with the project were also available at the Public Hearing.

As no comments were heard, it was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway to close the public hearing. Motion carried.

Discussion followed on utility, maintenance, and garbage cost projections, additional funding sources, and use of a design consultant. Improvements are scheduled to begin later this summer, with completion of the three major projects targeted for October 2007.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

Resolution 06-08

**RESOLUTION APPROVING SUBMITTAL OF AN OUTDOOR RECREATION GRANT
APPLICATION TO THE MINNESOTA DEPARTMENT OF RESOURCES FOR IMPROVEMENTS
TO LAKESIDE PARK**

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

Dan Johnson – aye

Sharon Ridgway – aye

UNFINISHED BUSINESS

Consider amending the city's special assessment policy: Administrator McGuire reviewed the changes to four parts of the special assessment policy and recommended approval of the resolution.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

Resolution 06-09

RESOLUTION AMENDING SPECIAL ASSESSMENT POLICIES

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

Dan Johnson – aye

Sharon Ridgway – aye

NEW BUSINESS

Consider a request for variances to allow construction of a new 1,440 square foot garage, to accommodate the existing 4-plex dwelling located at 383 Central Avenue, as well as a conditional use permit to expand the use and site plan approval: Administrative Assistant/Planner Dietsche reviewed the variance requests to allow demolition of the existing garage and construction of a new 1,440 square foot garage, as well as a variance from the maximum impervious coverage requirement of 35% to allow 37.9% coverage for the new garage. The new garage and driveway will be relocated closer to the property line, which will result in an overall decrease in impervious coverage from 40.6% to 37.9%, as well as improve the property's appearance and water run-off. Conditional use permit (CUP) and site plan approvals are also required to expand the non-confirming use of the 4-plex dwelling that is located in a single-family zoning district with the addition of the garage. The Planning Commission recommended approval of the variances, CUP, and site plan at their February 21, 2006 meeting, and staff also recommended approval in accordance with the findings of fact and conditions of approval stated in the staff report.

Applicant Don Thron answered questions regarding the condition of the existing garage and stated he is in agreement with the conditions of approval listed in the staff report.

Councilmember Johnson introduced the following resolution and moved its adoption:

Resolution 06-10

RESOLUTION APPROVING DON AND KARI THRON'S APPLICATION FOR VARIANCES, CONDITIONAL USE PERMIT, AND SITE PLAN AT 383 CENTRAL AVENUE, LEGALLY DESCRIBED AS LOTS 1, 2, AND 3 OF BLOCK 70, BAYPORT, WASHINGTON COUNTY, MINNESOTA, EXCEPTING THEREFROM THE WEST 60 FEET OF THE SOUTH 37 FEET OF LOT 2, THE WEST 60 FEET OF LOT 3, AND THE SOUTH 10 FEET OF THE EAST ONE HALF OF LOT 3

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

Rick Schneider – aye

Jon Nowaczek – aye

Dan Johnson – aye

Sharon Ridgway – aye

Consider designating a consulting firm to provide design development services for Lakeside Park improvements: Administrator McGuire reviewed the process of recommending a consulting firm from the seven proposals submitted for Lakeside Park design development services. City staff interviewed the firms and it is their recommendation that Sanders, Wacker, Bergly, in association with Mark Lenz Architects and Larson Engineering, be designated to provide the Phase 1 preliminary design services. Proposed design fees for Phase 1 would be \$24,375.00, with the total cost for design development services estimated at approximately \$55,000.00. Discussion followed on the items that would be completed in Phase 1, design services for the other parks, the use of park dedication fees as the funding source, and the request for continued input by residents on park improvements.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to designate Sanders, Wacker, Bergly, in association with Mark Lenz Architects and Larson Engineering, for Phase 1 - preliminary design of the Lakeside Park improvements, at a cost not to exceed \$24,375.00. Motion carried.

Discuss painting of the municipal water storage tank: Engineer Peters reviewed the background of rehabilitating the water storage tank located in the northeast corner of the Inspiration development. It was decided to postpone rehabilitation until the new ground storage tank in Baytown is completed. He discussed two options for the project, the traditional design/bid/build process and an alternative design/build process with a long-term maintenance option. SEH will honor its 2004 offer to prepare the bidding document at no cost to the city for either option. City staff believes the alternative option has merits for a smaller city, however is concerned with the potential cost difference between the two options and would like to see cost estimates before making a recommendation. Public Works Supervisor Horak stated the inside of the tank needs to be re-inspected; Engineer Peters indicated this would be completed within the scope of the project.

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

Consider purchase of a new water meter system: Administrator McGuire stated there will be a 60% increase in homes served by the Bayport water system in the next five years, and staff has been exploring options to automate our utility billing process. Staff received information from vendors on three different meter reading options---a handheld system, a drive-by system, and a fixed network system. The cost estimates and benefits for each option were reviewed and discussed, and staff recommended the drive-by system as the best fit for the city's needs. The intent is to gradually replace our existing residential meters, and the city would bear this cost. Per an independent technical analysis, our existing meters, the majority of which were replaced in the 1980's, should be replaced at their recommended 20-year life expectancy due to mineral deposits discovered in the meters that were tested.

It was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway to authorize city staff to solicit proposals for the City of Bayport Water Meter Reading Improvement Project. Motion carried.

Consider holding a citywide spring clean-up day: Administrator McGuire reviewed last year's successful citywide clean-up day and options for continuing the event. The city paid approximately \$6,000.00 for the dumping and disposal costs associated with the collected materials. If a biannual clean-up day is of interest, Allied Waste indicated they could contribute their annual cost of \$1,500.00 to help with the disposal cost. Discussion followed on the need for a clean-up event on a regular schedule, potential cost to the city, and optional charges for residents, e.g., electronics recycling.

It was decided that the city would sponsor a clean-up day on Saturday, June 10, 2006, and then proceed with a biannual clean-up event. As the city had budgeted \$2,000.00 for a clean-up day in 2006, additional costs associated with the clean-up day will be brought back for City Council approval in July.

COUNCIL ITEMS/ANNOUNCEMENTS – None

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

Water Update: Administrator McGuire handed out the final draft grant agreement with the Minnesota Pollution Control Agency (MPCA) for construction of an air stripping system for municipal well #2, noting that prior City Council authorization was given for Mayor Schneider and Administrator McGuire to enter into the agreement. He further requested that the City Council designate SEH to do the engineering design on the project, subject to the final signing of the grant agreement.

It was moved by Councilmember Nowaczek and seconded by Councilmember Johnson to designate Short Elliott Hendrickson, Inc., as the city's engineering consultant to perform the design work and provide plans and specifications for construction of the municipal air stripping water treatment plant. Motion carried.

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported that the Cable Commission met on February 15, 2006, which included the annual and regular meetings. The next meeting is scheduled for April 19, 2006, 7:00 p.m. at the Valley Ridge Mall.

Councilmember Nowaczek reviewed the Bayport Public Library Board's meeting of February 23, 2006. He recognized the ongoing support of the Tozer Family Foundation for their \$100 grant to the foundation. The next meeting is scheduled for March 23, 2006, 6:30 p.m., at the library.

Councilmember Johnson reviewed the two recent meetings held by Andersen Corporation on their XL Project, noting that the minutes of the meetings would be posted on the MPCA's website.

ADJOURNMENT

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to adjourn the meeting at 7:25 p.m. Motion carried.