

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

CALL TO ORDER

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

Members Absent: None

Others Present: Administrator Mike McGuire, Administrative Assistant/Planner Sara Dietsche, 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 January 2006 were given to Patricia O'Connor, Daniel Goldston, and Jeff Johnson.

OPEN FORUM

1. The annual Fire Department fund raising dance will be held Saturday evening, February 11th at the Eagles 94 Club in Oak Park Heights.

CONSENT AGENDA

Mayor Schneider read items 1-9 on the consent agenda.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

Resolution 06-05

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS 1-9 FROM THE FEBRUARY 6, 2006 CITY
COUNCIL AGENDA**

1. January 17, 2006 City Council regular meeting minutes
2. January payables and receipts
3. January building, plumbing and mechanical permits
4. Lawful gambling application to conduct bingo at Andersen Corporation ALCO picnic
5. Special event application to utilize Barker's Alps for a Boy Scout camping weekend
6. Lawful gambling application from Whitetails Unlimited to conduct raffles at Bayport American Legion
7. Pay equity report for Department of Employee Relations
8. Designations for 2005
9. Transfer of current tobacco license for Twin Cities Stores (Oasis Market) to Holiday Station Stores

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

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the next Cable Commission meeting will be held Wednesday, February 15, 2006, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Nowaczek reviewed the January 26, 2006 meeting of the Bayport Public Library Board. The next meeting is scheduled for Thursday, February 23, 2006, 6:30 p.m., at the library.

Councilmember Carlson reported the next Middle St. Croix Watershed Management Organization (MSCWMO) meeting will be held on Thursday, February 9, 2006, 7:00 p.m., at the Valley Ridge Mall.

Dan Johnson reported the Lower St. Croix Partnership met on January 18, 2006, and a presentation on enforcing speed and noise limits was heard. The next Andersen Project XL Committee meeting is scheduled for February 16th at 7:00 p.m. A joint Andersen Citizen Advisory Committee meeting and MPCA Public Information meeting on Andersen's XL permit will be held Thursday, February 23rd from 7:00-9:00 p.m. at the Bayport Public Library.

UNFINISHED BUSINESS

Consider bids and award contract for replacement of the water and sewer department automatic alarm dialer: Public Works Supervisor Horak reviewed the need for a new automatic alarm dialer system.

It was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway to award the contract for a new automatic alarm dialer system for the water and sewer department to Automatic Systems Company, St. Paul, Minnesota, in the amount of \$4,060.00. Motion carried.

NEW BUSINESS

Consider appointment of Ron Wolfe to the Planning Commission: Ron Wolfe, 8 Point Road, has applied to serve as a member of the Bayport Planning Commission. Staff recommended Mr. Wolfe for this appointment.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to appoint Ron Wolfe to the Bayport Planning Commission. Motion carried.

Mayor Schneider administered the Oath of Office to Mr. Wolfe.

Consider location for placement of the air stripping water treatment plant: Engineer Peters reviewed the two options for placement of the air stripping facility to treat the TCE in well number 2, including the difference in project cost estimates between SEH and Terracon, the MPCA's consultant. Discussion followed on the pros and cons of the location options. Administrator McGuire stated the city would be responsible for the additional costs to place the facility at the top of the hill; however, he recommended this option as it is the least disruptive to residents.

It was moved by Councilmember Nowaczek and seconded by Councilmember Carlson to adopt placement of the air stripping water treatment facility at the top of the hill, adjacent to the existing ground reservoir. Motion carried.

Consider authorization to purchase defibrillators: Police Chief Gannaway reviewed the request to purchase an automatic external defibrillator for City Hall use at a cost of \$1,584.00. City staff would be instructed on its use. He indicated the library would be purchasing a similar unit.

It was moved by Councilmember Carlson and seconded by Councilmember Ridgway to purchase an automatic external defibrillator for use at City Hall from Cardiac Science for \$1,584.00. Motion carried.

Consider amending the park usage ordinance: Administrative Assistant/Planner Dietsche reviewed the background of the proposed park usage ordinance. She noted there are a number of policies in practice that have been adopted over the years by the City Council, but they have not been formally adopted by ordinance. Discussion followed on the proposed fees. It was recommended that city residents pay \$10.00 per year for a sticker, and all other users pay \$10.00 per day. Administrator McGuire indicated that boat trailer parking at the Andersen Corporation lot has not been finalized for 2006. The ordinance will be revised and brought back for approval at the next meeting.

Consider amending fee schedule to include parking fees at Lakeside Park: Recommended revisions will be brought back for approval at the next meeting.

Consider amending the city's existing special assessment policy: Administrator McGuire reviewed proposed revisions to the city's special assessment policy, noting changes would give the City Council discretionary approval for specific projects. Discussion followed on determining the method of assessment – a proportional approach versus equal shares – and how commercial buildings are assessed. Staff will revise policy based on recommendations and bring back for discussion at the next meeting.

Discuss the adoption of an ordinance allowing the city to charge administrative fines: Attorney Domagala stated the city has an ordinance regarding administrative citations and penalties that is currently not being used, and she reviewed the pros and cons of a proposed ordinance that would set up structures for enforcing administrative penalties. Discussion followed on the need to change the current process, use of a hearing officer, and the proposed fine schedule. Discussion on this topic will be continued at the next meeting.

Consider authorization to purchase a brush chipper for Public Works department: Public Works Supervisor Horak reviewed the request to purchase a brush chipper.

It was moved by Councilmember Carlson and seconded by Councilmember Johnson to authorize the purchase of a Brush Bandit Model 250XP Chipper from Aspen Equipment Company, Bloomington, Minnesota, in the amount of \$31,101.20, per State of Minnesota purchase contract number 434614. Motion carried.

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Water Update: A preliminary contract with the MPCA for the air stripper was received today and is being reviewed. It is anticipated that a final contract will be available for discussion at the next meeting.
2. Closed Session: It was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway to adjourn to closed session. Motion carried.

Mayor Schneider called the regularly scheduled meeting back to order. He stated that discussion was held on pending litigation with the State of Minnesota and a timeline to rectify the matter.

COUNCIL ITEMS/ANNOUNCEMENTS

Mayor Schneider read a proclamation declaring April 17-30, 2006 as Valley Reads Week.

ADJOURNMENT

It was moved by Mayor Schneider and seconded by Councilmember Ridgway to adjourn the meeting at 8:03 p.m. Motion carried.