

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBER
APRIL 7, 2008
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of April 7, 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 Torry Kraftson and Sharon Ridgway

Members Absent: Councilmembers Connie Carlson and Dan Johnson

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

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. The recycling award for March went to Bob McPherson.

OPEN FORUM

1. Phil St. Ores, 345 Lake Street South, requested city staff investigate dipping in the road on 2nd Avenue South, on the west side of the railroad tracks. He believes there should be a position statement prepared related to the purchase of waterfront property and stated he would like to participate in the process of any proposed purchase. Mr. St. Ores requested that workshops be scheduled later in the day to allow for more resident participation. Mayor Nowaczek stated the city will do its due diligence with regards to any real estate purchase and encouraged Mr. St. Ores to submit his thoughts in writing.

CONSENT AGENDA

Mayor Nowaczek read items 1-18 on the consent agenda.

Councilmember Kraftson made a motion to move consent agenda items #14, *Operation and rental policy for bathhouse*, and #16, *Engineering amendment for South Minnesota Street improvement project*, to Unfinished Business, introduced the following renumbered resolution and moved its adoption:

Resolution 08-05

**A RESOLUTION APPROVING CONSENT AGENDA ITEMS 1-16 FROM THE APRIL 7, 2008
CITY COUNCIL AGENDA**

1. March 3, 2008 City Council regular meeting minutes
2. March 10, 2008 City Council workshop minutes
3. March payables and receipts
4. March building, plumbing and mechanical permits
5. Annual step increase for Police Chief
6. Annual step increase for Secretary/Receptionist

7. Accepting a \$1,000.00 grant for general operating support for the Bayport Fire Department from the Katherine B. Andersen Fund
8. Accepting a \$500.00 donation from the Lindstrom Fire Department for the Police Department Canine Program
9. Purchase of Police Department radio equipment for 800 Megahertz Radio System
10. Special event application and temporary on-sale liquor license for Dane's Place fundraiser
11. Special event application and lawful gambling permit for Andersen Corporation ALCO picnic
12. Special event application for People's Congregational Church Missions Fair
13. Special event application for Bayport Library Book Sale
14. Final payment for South Minnesota Street improvement project
15. Amendment to Water Extension Development Agreement for DCCI
16. Grass fire unit – pump tank replacement for fire department

Regarding consent item #10, Councilmember Ridgway noted that Dane's Place is sponsored by the three area churches and the Bayport Community Action League. She encouraged all residents to support this community-wide fundraising event scheduled for June 28, 2008.

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

Jon Nowaczek – aye
Torry Kraftson – aye
Sharon Ridgway – aye

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the Cable Commission would be meeting on April 16, 2008, 7:00 p.m., at the cable studio located in the Valley Ridge Mall in Stillwater.

Councilmember Kraftson noted the Middle St. Croix Watershed Management Organization (MSCWMO) meets on the second Thursday of the month at 7:00 p.m. at the Valley Ridge Mall. Interviews for a new administrator are underway. The next meeting of the MSCWMO is scheduled for April 10, 2008.

UNFINISHED BUSINESS

Consider bid award for Lakeside Park furnishings: Administrator McGuire reviewed the two bids received for two lots of furnishings for the Lakeside Park renovation project. He noted the bids were close to the estimated cost and recommended awarding the bid for all furnishings to the low bidder, St. Croix Recreation Company.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to award the bids for the Wabash Valley Products in the amount of \$22,838.93 and for the Thomas Manufacturing Products in the amount of \$1,175.76, to St. Croix Recreation Company. Motion carried.

Operation and rental policy for bathhouse: Councilmember Kraftson reviewed the proposed rental policy for the bathhouse and questioned whether city staff would have enough time to clean up the space between reservations. It was noted the attendant's duties would include cleaning of the area. Staff will re-evaluate the operation and rental policy after this first year of use. Discussion ensued on changing the

park hours to “sunrise to sunset.” Police Chief Eastman indicated her department would use common sense when interpreting the park hours and expressed concern with swimmers in the water after dark.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to adopt the operation and rental policy for Lakeside Park bathhouse as presented. Motion carried.

Engineering amendment for South Minnesota Street improvement project: SEH Engineer Peters reviewed the engineering firm’s request to amend the approved not-to-exceed amount of \$61,900.00 for the project. An increase of \$11,190.00, for a total of \$73,090.00, is being requested because work went beyond the original scope of the project, there were coordination issues with the private utilities and unanticipated permit fees, and the project extended into a second construction season. He also noted that SEH had an error in the plans that resulted in an additional \$9,000.00 of work, for which SEH is responsible. This amount would be deducted from the final invoice, resulting in a net increase of \$2,190.00. Councilmember Kraftson expressed concern that this adjustment is being requested a year after the project was completed and would have preferred having the charges presented at the time of occurrence. Discussion followed on the timeliness of the increase request.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to approve an \$11,190.00 increase in the not-to-exceed contract total for the engineering costs for the South Minnesota Street project, for a total of \$73,090.00, and to deduct \$9,000.00 from the final engineering billing to allow for increased project costs due to an engineering error. Motion carried.

Councilmember Kraftson stressed the importance of handling future requests to change a not-to-exceed approved project cost at the time of occurrence.

NEW BUSINESS

Consider renewal of agreement with Andersen Corporation for boat launch parking in the lot on 4th Avenue North: Administrator McGuire reviewed the agreement, noting it is similar to the past three years, with the addition of five weekday parking spaces. Mayor Nowaczek stressed that overnight parking is not allowed.

It was moved by Councilmember Ridgway and seconded by Councilmember Kraftson to approve the agreement with Andersen Corporation for boat launch parking as presented. Motion carried.

Consider authorization to prepare a feasibility study for water extension to Baytown Township: Engineer Peters reviewed a request from Pete Miller to extend city water to a site in Baytown Township. A feasibility study would be necessary and SEH estimates it will cost \$2,000.00 to prepare the preliminary report. Owner Pete Miller inquired as to the total cost to hook up to the city’s water. Engineer Peters indicated the feasibility study would provide estimated costs. Mr. Miller stated he has another piece of property in Baytown Township that he would be interested in having connected to the city’s water system. Administrator McGuire indicated that Mr. Miller would have to contact Baytown Township first for approval, and that it would require a separate Joint Powers Agreement.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to authorize SEH to prepare a feasibility study for water extension to the Pete Miller property in Baytown Township, at a not-to-exceed cost of \$2,000.00. Motion carried.

Discuss feasibility study for Highway 95 pedestrian crossing: The 2008 Capital Improvement Plan includes \$10,000.00 for preparation of a feasibility study to determine options for a pedestrian crossing of Highway 95, in the area of the Andersen Elementary School/Perro Park. Engineer Peters indicated the study would consider the feasibility of an overpass, a tunnel, and an at-grade crossing. SEH has proposed preparing the preliminary report for a not-to-exceed cost of \$10,000.00. Mayor Nowaczek inquired as to the status of a traffic study to be completed as part of the new Stillwater bridge project. Administrator McGuire believes it may be at least five years before this study is initiated. Discussion ensued on the long-standing nature of this safety concern and the desire to investigate options to alleviate the problem.

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to authorize SEH to prepare a feasibility study for the Highway 95 pedestrian crossing for a not-to-exceed cost of \$10,000.00. Motion carried.

COUNCIL ITEMS/ANNOUNCEMENTS

1. Councilmember Ridgway announced that the Bayport Community Action League (BCAL) would like to make a donation to the City of Bayport and is requesting input for donation ideas. A dollar amount has not been set, but ideas from BCAL members include park equipment, a grill for the new bathhouse patio, or beautification efforts, e.g., flowers. Mayor Nowaczek thanked the BCAL for their donation offer and indicated the City Council would discuss the matter at their next workshop when more councilmembers are present.

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Administrator McGuire indicated a date for the next City Council workshop would be discussed at the May 5th City Council meeting. A quarterly review of the Public Works department will be set, followed by a review of the Fire Department this summer.
2. Per a request from Zach Bigauette, Boy Scout Troop 113, Administrator McGuire stated a copy of the city's budget would be provided for his use.

ADJOURNMENT

It was moved by Councilmember Kraftson and seconded by Councilmember Ridgway to adjourn the meeting at 6:57 p.m. Motion carried.