

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
APRIL 2, 2007
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Nowaczek called the regular City Council meeting of April 2, 2007 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, Dan Johnson, Torry Kraftson, and Sharon Ridgway

Members Absent: None

Others Present: Administrator Mike McGuire, Acting Police Chief Laura Eastman, Public Works Supervisor Mel Horak, Attorney Cameron Kelly, Engineer Barry Peters, Assistant City Administrator Sara Taylor

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. Mayor Nowaczek reported that recycling awards for March were given to Donald Hoye, Mark Tuenge, Jim Schattauer, and John Siegel.
2. Mayor Nowaczek read a proclamation recognizing April 16-April 29, 2007 as Valley Reads Weeks.

OPEN FORUM - None

CONSENT AGENDA

Mayor Nowaczek read items 1-12 on the consent agenda.

Councilmember Carlson introduced the following resolution and moved its adoption:

Resolution 07-11

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING
CONSENT AGENDA ITEMS 1-12 FROM THE APRIL 2, 2007 CITY COUNCIL AGENDA**

1. March 5, 2007 City Council regular meeting minutes
2. March payables and receipts
3. March building, plumbing and mechanical permits
4. Appointment of temporary full-time police officer Dave Wynia
5. Renewal of agreement with Andersen Corporation for boat launch parking in the lot on 4th Avenue North
6. Annual step increase for Secretary/Receptionist
7. Special event application for Bethlehem Lutheran Church/Dane's Place fundraiser pig roast
8. Final acceptance of Phase I Inspiration street and utility improvements
9. Funding for fire department's portion of 800 MHz radio system
10. Recycling programs for 2007 Washington County Recycling Grant
11. Special event application and lawful gambling permit for Andersen Corporation ALCO picnic
12. Payment #9 to Ebert Construction for Booster Station in Inspiration

Councilmember Kraftson questioned whether the March 5th minutes regarding the vacation of a portion of 1st Avenue South should reflect that the right-of-way was reserved with easement for the existing utilities. Administrator McGuire explained that the minutes only reflect a summary of what was actually approved and the recorded resolution specifies the detail, and he will double check to make sure it is correct.

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

Jon Nowaczek – aye	Torry Kraftson – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the Cable Commission did not meet in March, and that the next regularly scheduled meeting will be held April 18, 2007, 7:00 p.m. at the Valley Ridge Mall.

Councilmember Kraftson reviewed the Middle St. Croix Watershed Management Organization (MSCWMO) meeting of March 8, 2007, noting there were no major items relating to Bayport. The next meeting is scheduled for April 5, 2007.

Councilmember Johnson reviewed the March 22, 2007 meeting of the Bayport Public Library Foundation Board. He reported the library's annual report has been filed and is online at the library's website. Faith Sullivan will be speaking at the annual author's luncheon on Saturday, April 14th, 11:30 a.m. The long-range planning committee will be meeting April 4th at 1:00 p.m.; the meeting is open to the public. The next meeting of the library board is set for April 26, 2007, 6:00 p.m., at the library.

The Andersen Corporation's Project XL Community Advisory Committee (CAC) is meeting on April 12th at 7:00 p.m. at Andersen headquarters. The meeting is open to the public. Susan Roeder, Andersen Corporation, stated April 12th would be the first official meeting under the XL Permit with the CAC.

Councilmember Johnson noted that the Bayport Community Action League (BCAL) has a new website - www.bayportcommunityactionleague.com - linked with the library's website. The BCAL is hosting the annual Easter Egg Hunt at Barker's Alps Park at 10:00 a.m.

Councilmember Carlson had no report on the Lower St. Croix Partnership group.

UNFINISHED BUSINESS

Consider approving bid documents and authorization to solicit bids for Phase IA improvements to Lakeside Park: Larry Wacker reviewed the current cost estimates for the improvements, estimated at \$503,130.00. Administrator McGuire noted that Andersen Corporation is donating all of the beach house exterior windows and doors, for a cost savings of approximately \$30,000.00, and \$20,000.00 in savings was realized by city staff doing part of the old bathhouse demolition. Larry Wacker and Raj Dhital reviewed the updated plans for the Phase 1A improvements to Lakeside Park, including color and material selections. Discussion followed on incorporating some of the existing playground equipment into the new plan. Safety concerns with the older equipment were noted. Administrator McGuire recommended analyzing the existing equipment risk factors prior to authorizing the playground improvements. Councilmembers expressed their preference for the beach house's accent color but decided to put off a decision until they could see a larger sample of the proposed colors.

It was moved by Councilmember Ridgway and seconded by Councilmember Carlson to approve the bid documents and authorization to solicit bids for Phase 1A improvements to Lakeside Park, excluding the \$65,000.00 playground portion. Motion carried.

Councilmember Kraftson noted his concern that the proposed cost estimate does not include all Phase 1 improvements and is hopeful the bids will come in lower than anticipated.

NEW BUSINESS

Consider amending the city’s environment ordinance regarding public nuisances: Acting Police Chief Eastman reviewed the proposed revisions relating to public nuisances affecting peace and safety within the city. She indicated some infractions could be handled with an administrative fine, rather than going to court. Discussion followed on clarifying where alcoholic beverages, in approved containers, would be allowed in city parks.

Councilmember Johnson introduced the following ordinance and moved its adoption, with an amendment to Section 16, clarifying that plastic or metal containers are allowed in a park or public picnic ground:

Ordinance #787

**ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY,
MINNESOTA AMENDING CHAPTER 26, SECTION 26-28 OF THE BAYPORT CITY CODE
REGARDING ENVIRONMENT**

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

Jon Nowaczek – aye	Torry Kraftson – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

Consider amending the city’s offenses and miscellaneous provision ordinance regarding weapons and illegal posting: Acting Police Chief Eastman reviewed the proposed revisions that add definitions and specific locations to the city code. Discussion followed on replacing the current code that enforces a blanket prohibition of firearms with more specific language that could miss items and/or include items that shouldn’t be prohibited. Allowable activities on private property were also discussed, as well as posting of temporary signs for garage sales and lost pets.

It was moved by Mayor Nowaczek and seconded by Councilmember Johnson to continue the discussion on amending Chapter 38 of the Bayport City Code regarding offenses and miscellaneous provisions to the next meeting. Motion carried.

Consider amending the city’s traffic and vehicle ordinance regarding parking: Acting Police Chief Eastman reviewed the proposed revisions regarding traffic and vehicle ordinances. Discussion ensued regarding the on-street 12-hour limit, restricting alley parking, and odd-even parking during the winter months. Administrator McGuire and Chief Eastman explained the winter parking rules were proposed mainly as a public safety factor and secondarily to facilitate efficient snowplowing within the city. Councilmembers noted it would be a major change for residents and ample education on the parking changes would be needed. Attorney Kelly recommended deleting wheelchairs, bicycles, wagons and strollers from the self-propelled device definition.

It was moved by Councilmember Johnson and seconded by Councilmember Ridgway to continue the discussion on amending Chapter 54 of the Bayport City Code regarding the city’s traffic and vehicle ordinance to the next meeting. Motion carried.

Consider amending the city’s street and sidewalk ordinance regarding litter: Acting Police Chief Eastman reviewed the addition to Chapter 50 that addresses smoking near combustible materials, as well as inappropriate disposal of hot or burning substances on public or private property.

Councilmember Kraftson introduced the following ordinance and moved its adoption:

Ordinance #788

**ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY,
MINNESOTA AMENDING CHAPTER 50, SECTION 50-40 OF THE BAYPORT CITY CODE
REGARDING STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES**

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	Torry Kraftson – aye
Connie Carlson – aye	Sharon Ridgway – aye
Dan Johnson – aye	

Discuss providing building inspection services to the City of Lakeland, et. al: Administrator McGuire noted that after interviewing Bayport city staff, the City of Lakeland is interested in pursuing a contract with the City of Bayport to provide building inspection services to Lakeland, Lakeland Shores, St. Croix Beach, and St. Mary’s Point. He requested endorsement of the concept and indicated the contract would then be worked out between the two cities. Discussion followed on the building official’s workload. Administrator McGuire indicated he believes Bayport can provide this service long-term and may consider a summer intern as an option to cover increased inspections, if needed. Councilmembers were in agreement to pursue the contract discussions with the City of Lakeland. The City Council will be requested to approve the final contract at a future meeting.

COUNCIL ITEMS/ANNOUNCEMENTS

1. Councilmember Carlson stated that residents are organizing a citywide garage sale that is scheduled for Friday, June 1st from 8:00 a.m.-5:00 p.m. and Saturday, June 2nd from 8:00 a.m.-1:00 p.m. Information on the event will be included in the upcoming city newsletter.
2. Mayor Nowaczek reported that in an effort to keep residents better informed on city issues, the city is in the process of implementing an e-mail list serve program. Information will be provided in the city newsletter.

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Water Update: Repairs to well #2 have been completed and the new air stripper treatment plant was tested today. Some minor software glitches were identified and fine tuning is needed, however the plant should be fully on-line within two weeks. The results of water sampling from well #2 are expected in a couple days. The landscaping restoration will be completed when weather conditions improve. Diagrams of how the air stripper works are available at City Hall.
2. Citywide cleanup day update: Last year, the City Council recommended holding the cleanup event on an every-other-year basis and the event was not budgeted for 2007. Councilmembers decided to maintain the current schedule. Information on disposal options within Washington County is posted on the county’s website and will be available at City Hall.

ADJOURNMENT

It was moved by Councilmember Carlson and seconded by Councilmember Ridgway to adjourn the meeting at 8:26 p.m. Motion carried.