

Bayport City Council Meeting Minutes
January 3, 2000

CITY OF BAYPORT
BAYPORT CITY COUNCIL MINUTES
MONDAY, JANUARY 3, 2000
BAYPORT CITY COUNCIL CHAMBERS
7:00 PM

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Allen Schultz called the regular City Council meeting of January 3, 2000, to order and asked Councilmembers, staff and audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Allen Schultz, Councilmembers Jim Kosmo, Jim Menard, and Sharon Ridgway.

Members Absent: Councilmember Linda Newell.

Others Present: Ken Hartung, City Administrator, Jim Lammers, City Attorney, and Barry Peters, Consulting City Engineer.

CONSENT AGENDA

Member Menard introduced the following resolution and moved its adoption:

RES. NO.00-01

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS A,B,C,D,AND E.

- A. Approve the regular City Council Meeting Minutes of December 6, 1999.
- B. Approve the minutes of the Truth in Taxation Public Hearing meeting of Tuesday, December 14, 1999.
- C. Approve bills as presented in the amount of \$119,957.11.
- D. Approve receipts as presented in the amount of \$701,193.88.
- E. Approve Building/Plumbing/Heating Permits issued during the month of

Bayport City Council Meeting Minutes
January 3, 2000

December, 1999.

The foregoing resolution was duly seconded by Member Kosmo and upon roll being taken thereon, the following voted via voice:

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

PUBLIC HEARINGS

Ken Hartung stated, no Public Hearings are scheduled for this evening's meeting.

PETITIONS

Senator Laidig and Representative Mark Holsten.

Representative Mark Holsten thanked the City Council for inviting him to attend this evening's meeting. He stated, the Year 2000 Legislative Session will begin on February 1, 2000. He noted, this year's agenda includes:

1. The State of Minnesota has projected a large revenue surplus. Consequently, the Legislature will be discussing the possibility of Income Tax cuts, property tax cuts, license fee cuts and City Sales Tax elimination. Also, there will be discussion about rebating part of the surplus back to Minnesota residents.
2. The Year 2000 Legislative Session will primarily be dealing with allocating bonding money for large capital projects. During the last Legislative Bonding Session in 1998, the Legislature appropriated \$1 billion worth of bond money. This year, Governor Ventura has set a ceiling of \$400 million for bond money.
3. Levy limits are scheduled to come off at the end of the year 2000 unless the Legislature takes specific action to maintain them.
4. Last year Representative Holsten introduced a bill in the Minnesota House to propose funding the State's Storm Sewer Project in Bayport in an amount of \$3.8 million. While the bill was introduced, it never got any of the formal hearings required to be voted on by the House.

Bayport City Council Meeting Minutes
January 3, 2000

Representative Holsten stated, he will be working this year with Senator Laidig to see if they can secure some funding for the State's Storm Sewer Project. He noted, he is not very optimistic about the Storm Sewer's funding chances given the Governor's ceiling of \$400 million associated with State Bonding during the 2000 Legislative Session.

Senator Gary Laidig stated, to help secure bonding money for the State's Storm Sewer Project, it is important to have someone down at the Legislature representing the City working with various Legislative Committee Chairs and staff members to insure a bill to fund the State storm sewer project is moved through the process.

Senator Laidig stated, he is aware of the City of Bayport's concern associated with levy Limits. He noted, because the City had to significantly reduce its Levy in 1999, the City will be severely constraint in its 2002 budget if Levy Limits remain. He stated, if Levy Limits are extended, he will be working with Representative Holsten to get an exception to the Levy Law for the City of Bayport.

Councilmember Kosmo stated, he has identified the following items as key issues for the City of Bayport in the next Legislative Session:

1. The elimination of Levy Limits.
2. State funding for the State Storm Sewer Project.
3. Introduce legislation which will double the fines for traffic violations in school zones.

Councilmember Kosmo stated, he would like to see Senator Laidig and Representative Holsten introduce legislation which will double the fines associated with traffic violations in school zones. He noted, the State has used that very strategy to slow down traffic in work zones for highway crews. He stated, he believes this could be an effective way to control speeds in school zones.

Moved by Councilmember Kosmo, second by Councilmember Menard to request that Senator Gary Laidig and Representative Mark Holsten introduce legislation during the 2000 Legislative Session which will double the fines associated with traffic violations in school zones.

Bayport City Council Meeting Minutes
January 3, 2000

Voting in favor: Councilmembers Kosmo, Menard, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Newell.

Update on the Southern Valley Sports Complex

John Melville, Executive Director of the Croix Valley Athletic Partnership, introduced Dick Siver, President of the St. Croix Valley Athletic Partnership.

Dick Siver stated, the St. Croix Valley Athletic Partnership was formed by a group of parents who were concerned about the lack of quality playing fields and a lack of community involvement in the Youth Athletic Program. He stated, the St. Croix Valley Athletic Partnership's mission is to "promote and advance youth athletics by providing safe quality sports facilities for the benefit of the youth of our valley".

Mr. Siver reviewed with City Councilmembers the participation level of the various sporting activities offered by the Valley Athletic Association. He noted, there are approximately 5,500 participants.

Mr. Siver stated, the total Capital Improvement Budget identified for the Southern Valley Sports Complex is \$2.4 million. He noted, the organization has spent \$1.2 million on its Phase No. 1 portion of the Southern Valley Sports Complex. He indicated, the estimated annual operating cost of the Southern Valley Sports Complex is \$116,500 with anticipated annual revenues of \$117,500.

John Melville stated, approximately 140 children from the Bayport area participate in the Valley Athletic Association programs.

Dick Siver stated, the organization has been reasonably successful in its fund raising activities particularly through the foundations and Cub Foods. He is anticipating 95% of the cost associated with constructing Southern Valley Sports Complex will come from private pledges. He indicated, he is hoping that the 14 communities which have individuals participating in the sports activities will contribute an amount equal to approximately 5% of the construction costs of the complex. Mr. Siver stated, he is hoping the City of Bayport can make a contribution toward construction of the Southern Valley Sports Complex. He noted, while his organization is looking for a pledge from the City, they are not looking for the City to make a commitment at this evening's meeting. He indicated, if the Council would like to have he and John Melville come

back to a Council Workshop to discuss the issue, they would be happy to do so.

Councilmembers thanked Dick Siver and John Melville for making their presentation.

**Greg Utecht Discussion of Disc Golf Course Idea
for Barkers Alps**

Greg Utecht, 832 So. Minnesota Street, stated, at one time Barkers Alps had a Disc Golf Course. He stated, he does not know what happened to the disc golf course, but, he and a friend are interested in reestablishing the course. He noted, he did not see the City paying any money for the disc golf course. He indicated, initially they are looking to have a 9 hole disc golf course and will seek donations for the baskets and they would do the construction associated with erecting the poles and baskets.

Councilmember Jim Kosmo stated, it sounds like an interesting idea, however, before the City Council could consider a proposal for disc golf, it will be necessary for Mr. Utecht to be more specific about his proposal. For example, he should talk to the City Administrator and the Public Works Supervisor presenting the following information:

1. A diagram showing the course layout for the proposed disc golf course.
2. Outline landscaping, brush trimming and tree trimming associated with the disc golf course.
3. A list of the equipment and approximate cost associated with purchasing the necessary equipment.

Steve Kinde, 798 Quinnell Avenue North, Lakeland, stated, he believes there is room for 9 to 12 baskets in Barkers Alps. He stated, he is looking to get a State and National Disc Tournament within the City of Bayport provided Bayport were to build a 9 to 12 hole disc golf course. He indicated, he believed a 9 hole golf course would cost approximately \$10,000.

Councilmember Kosmo suggested that Mr. Utecht and Mr. Kinde contact City Administrator, Ken Hartung, to review their proposal. He noted, the City Administrator can set up the appropriate meetings with the Planning Commission, City Councilmembers and neighbors to Barkers Alps to review the proposal for further comment and consideration.

Update on Minnesota Highway 95 Study

Bayport City Council Meeting Minutes
January 3, 2000

Eric Ackerman, 539 No. 2nd Street, stated, he understood representatives from the City of Bayport, Andersen School and Andersen Corporation met with members of the Minnesota Department of Transportation to discuss pedestrian safety on Highway 95. He indicated, he would like to have an update on the progress made as a result of that meeting.

Councilmember Jim Kosmo stated, the Minnesota Department of Transportation indicated it would take 4 to 6 weeks to complete their study. He noted, City Administrator, Ken Hartung, has forwarded to Councilmembers preliminary data gathered in the first few days by MNDot on the Highway Study. He stated, the City is still waiting for results. He noted, MNDot indicated, they will contact the City when the speed and traffic study are completed for designated locations along Highway 95 within the City of Bayport.

Eric Ackerman indicated, he has a suggestion to improve student safety at Andersen Elementary School. He indicated, he would like to see stop signs installed on North 4th Street at the following intersections:

1. A 3-way stop sign at North 4th Street and 3rd Avenue North.
2. A 4-way stop sign at 2nd Avenue North and North 4th Street.

Councilmember Kosmo stated, he appreciates the suggestion that Mr. Ackerman has related to pedestrian safety at Andersen Elementary School. He noted, the City Council will take his suggestions into consideration along with those suggestions of the Minnesota Highway Department after they have completed their study to help the City Council and the Minnesota Highway Department determine how best to address pedestrian safety at the Andersen Elementary School. Councilmember Kosmo stated, the City Council adopted a motion tonight requesting that Senator Laidig and Representative Holsten introduce legislation which would double the traffic fines in school areas. Councilmember Kosmo stated, he believes doubling the fines could be an effective method to encourage people to be more alert and more speed conscious in school zone areas.

9th Street Sanitary Sewer Repair

Ken Hartung indicated, a residence located at 367 No. 9th Street experienced the sanitary sewer back-up problem on Tuesday of last week. He noted, the resident was not successful in having Roto-Rooter or other sanitary sewer vendors open his clogged sewer line. He stated, on Thursday, December 30th, Jim Dombrovski of 367 No. 9th Street came into his office to discuss the sanitary sewer back-up situation. He

Bayport City Council Meeting Minutes
January 3, 2000

indicated, Roto-Rooter had run their cleaning line approximately 165 feet out of his house into the street. He noted, based on his estimates, that meant that Roto-Rooter's cleaning line had to be close to the City's main sanitary sewer line located in North 9th Street.

Ken Hartung indicated, he explained to Mr. Dombrovski that the City's Ordinance specifies that the homeowner is responsible the repair and maintenance of their individual sanitary sewer line and that the City is only responsible for the main line which the individual system connects to. He indicated, the City crews had sent the City's sanitary sewer jetter and cutter through the City's line on North 9th Street and have determined there is no blockage in the City's sewer line. Consequently, he indicated, the blockage must be somewhere in Mr. Dombrovski's line. Ken Hartung indicated, as a consequence of those discussions, Mr. Dombrovski acquired the necessary permits from the City and hired Miller Excavating to dig up his sanitary sewer line located within 9th Street. Ken Hartung indicated, Miller Excavating started the work associated with digging up the sewer line on Friday, December 31st at 8:15 AM. He noted, during the excavation process, it was discovered that Mr. Dombrovski's sewer line located at 367 No. 9th Street and David Stoltzmann's sewer line located at 368 No. 9th Street connected to a 6" sewer line riser which was attached to the City's main sewer. Ken Hartung indicated, because the City's sewer line was located at a depth of approximately 22 feet, a vertical riser 6" in diameter was brought from the City's sewer line to a depth of approximately 8 feet. This meant that Dombrovski and Stoltzmann shared a common private sewer line riser which connected to the City's main sanitary sewer line. He indicated, during the course of the excavation, it was discovered that tree roots had grown into the 6" riser approximately 3 feet from the top of the riser. He indicated, Pete Miller's staff and City staff were able to dislodge the roots and get the sewer line functioning. He also indicated, a 4" riser was added to the 6" riser which will permit access to the 6" riser in the future for clean out.

Ken Hartung stated, while the City's policy dictates that the homeowner is responsible for his private sewer line to a point where it connects to the City's main, in this case, the private riser coming off of the City's main sewer line is used by two individual residences that of Dombrovski and Stoltzmann. Therefore, he indicated, according to the City's Ordinance both residence would be responsible for the repair work which had taken place even though Dombrovski was the only residence that manifested problems. He noted, because the private sewer riser is shared by two individuals, this may be a case where the City may want to decide to pick up the cost associated with repairing the sanitary sewer line. He noted, there are approximately 6 or 7 risers within the City which have two private sewer systems connected to them. He indicated, because of the way the risers are located and because of the elevations of

Bayport City Council Meeting Minutes
January 3, 2000

each of the residences, it is possible for one residence to have a sewer system failure while the other residence sewer system continues to work.

Barry Peters, Consulting City Engineer, stated, he has never seen a condition where two residential sewer lines are hooked to one riser. He stated, the typical practice is to have one riser per residential sewer service which makes one individual responsible for the condition of the horizontal and vertical riser sewer service.

Given the circumstances associated with the Dombrovski sanitary sewer back-up, Ken Hartung indicated, he believes it would be in the best interest of the City to pick up the cost associated with repairing the sanitary sewer line on 9th Street.

Moved by Councilmember Kosmo, second by Councilmember Menard to authorize the City pay the bills submitted to the City by Miller Excavating Inc., in the amount of \$2,029.05 for work associated with the repair of a sanitary sewer riser serving residential properties of Jim Dombrovski, 367 No. 9th Street, and David Stoltzmann, 368 No. 9th Street, and the Council authorizes the return of the right-of-way fees paid to the City by James Dombrovski and that the City Council direct the City Attorney and the City Administrator to draft a resolution which sets out the rationale for City payment of the work associated with repairing the 6" riser sewer line servicing the Dombrovski and Stoltzmann property on North 9th Street.

Voting in favor: Councilmembers Kosmo, Menard, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Newell.

CITY ATTORNEY

Jim Lammers stated, he has nothing to add at this point in the Council Agenda.

CITY ENGINEER

Barry Peters, Consulting City Engineer, stated, he has nothing to add at this point in the Council Agenda.

DEPARTMENT HEADS

Bayport City Council Meeting Minutes
January 3, 2000

Ken Hartung stated, he has no comments related to the City Departments unless Councilmembers have specific questions which they would him to address.

COUNCIL LIAISON REPORTS

Central St. Croix Valley Joint Cable Commission

Councilmember Sharon Ridgway stated, the Central St. Croix Valley Joint Cable Commission did not meet during the month of December.

Oak Park Heights/Stillwater Prison Advisory Committee

Mayor Allen Schultz stated, he and City Administrator, Ken Hartung, attended a meeting of the Oak Park Heights/Stillwater Prison Advisory Committee meeting. He stated, the meeting was held at Oak Park Heights Prison on Wednesday, December 15, 1999, at 3:00 PM. He noted, the purpose of the advisory committee meeting was to update local government officials on projects and changes taking place at the Oak Park Heights and Stillwater Prisons. He also indicated, the purpose of the advisory committee is for the Oak Park Heights and Stillwater Prisons to solicit input from the communities adjacent to the Oak Park Heights and Stillwater Prisons.

OLD BUSINESS

Ken Hartung stated, no Old Business has been slated for this evening's meeting.

NEW BUSINESS

Discuss the Appointment of the City Attorney

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-02

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPOINTING THE LAW FIRM OF ECKBERG, LAMMERS, BRIGGS, WOLFF AND
VIERLING AS THE CITY ATTORNEY IN MATTERS OF CIVIL AND CRIMINAL
REPRESENTATION

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

Bayport City Council Meeting Minutes
January 3, 2000

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

Discuss the Appointment of the Deputy Clerk

Member Kosmo introduced the following resolution and moved its adoption:

RES. NO. 00-03

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE CITY ADMINISTRATOR TO APPOINT JOHN NASH AS DEPUTY
CLERK EFFECTIVE JANUARY 3, 2000

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

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Approving the 2000 Appointment and
Assignment Schedule**

Councilmember Sharon Ridgway indicated, she had one change to make to the Appointment and Assignment Schedule. She stated, under current Central St. Croix Valley Joint Cable Commission, City Administrator Ken Hartung cannot be appointed as a representative to the Central St. Croix Valley Joint Cable Communication Commission because he does not live in the City. She noted, however, the Cable Commission By-Laws are in the process of being amended which will permit a person who works in the City but does not live in the City to be appointed as an alternate representative to the Joint Cable Commission. Consequently, she is recommending that she and Jim Menard be appointed as representatives and Ken Hartung be appointed as the alternate.

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-04

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING APPOINTMENTS AND ASSIGNMENTS FOR 2000

Bayport City Council Meeting Minutes
January 3, 2000

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

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Approving Appointment of Citizens to City Commissions
and Boards**

Ken Hartung stated, the Planning Commission has one vacancy with the resignation of Sally Borich. He noted Ms. Borich term of office would have which expire in the Year 2000. He indicated, the City has received one applicant for the Planning Commission vacancy that of Paul Vogel, 314 No. 4th Street. He indicated, Mr. Vogel is here this evening to answer any questions Councilmembers may have.

Paul Vogel stated, he is a relatively new resident in Bayport having lived in his house at 314 No. 4th Street for 2 years. He stated, he really appreciates the culture and the atmosphere present in the small town of Bayport. He stated, he would like to make some contribution to the community and feels serving on the Planning Commission would provide him with that opportunity.

Moved by Councilmember Menard, second by Councilmember Kosmo to appoint Paul Vogel, 314 No. 4th Street, to the Bayport Planning Commission for a term to expire December 31, 2000.

Voting in favor: Councilmembers Menard, Kosmo, Schultz and Ridgway.

Voting against; None.

Absent; Councilmember Newell.

Moved by Councilmember Kosmo, second by Councilmember Menard to appoint David Croft to the Bayport Library Board for a term to expire December 31, 2002.

Voting in favor; Councilmembers Kosmo, Menard, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Newell.

Discuss the Appointment of City Engineer

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-05

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPOINTING SHORT-ELLIOTT-HENDRICKSON AS THE CITY'S CONSULTING
ENGINEER AND RESERVING THE CITY COUNCIL'S RIGHT TO HIRE OTHER
ENGINEERING FIRMS IF THE COUNCIL DETERMINES IT IS IN THE BEST
INTEREST OF THE CITY

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

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

Discuss the Appointment of the City's Official Newspaper

Moved by Councilmember Menard, second by Councilmember Ridgway to appoint the Stillwater Evening Gazette as the City's Official Newspaper to be used for the City's official legal publications and that the Council designates The Courier as the City's newspaper designated to publish the City of Bayport's Council Minutes.

Voting in favor: Councilmembers Kosmo, Menard, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Newell.

Discuss Appointing An Animal Impound Agency

Member Kosmo introduced the following resolution and moved its adoption:

RES. NO. 00-06

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
DESIGNATING THE ST. CROIX ANIMAL SHELTER OF WOODBURY, MINNESOTA,
AS THE CITY'S ANIMAL IMPOUND AGENCY FOR 2000

Bayport City Council Meeting Minutes
January 3, 2000

The motion for adoption of the foregoing resolution was duly seconded by Member Ridgway and roll call being taken thereon, the following voted via voice;

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss a Request by Stillwater Area Public Schools for a Sign
Variance at Andersen Elementary School
Case No. 99-16V**

Ken Hartung stated, the City has received a request from the Stillwater Area Public Schools for the City to consider granting sign variances to permit a nameplate sign at Andersen Elementary School. He stated, presently there is no sign identifying the name of the elementary school or a sign to indicate the entrance to the elementary school. He indicated, the School District is proposing to erect a nameplate sign above the main entrance door with a sign area of 6 square feet and at a height of 13 feet. Consequently, in order for the School District to be able to erect the sign, it will require the City to grant a sign area variance of 3 square feet from the Zoning Ordinance maximum sign area of 3 square feet permitting the Andersen Elementary School to have a nameplate sign constructed at a total of 6 square feet. He also indicated, it would require the City Council granting a height variance of 5 feet from the Zoning Ordinance maximum height requirement of 8 feet permitting the Andersen Elementary School nameplate to be constructed at a height of 13 feet.

He stated, the sign the School District is proposing will have a letter height of 6 inches. He stated, 6 inch letters are the minimum height to be able to have the School District's nameplate sign read from North 4th Street. Additionally, he stated, the School District has a unusually high entrance into the building requiring the sign to be located at a height of approximately 13 feet. He indicated, the only way the School District could make the sign comply with the 8 foot requirement would be to mount the sign on sky light windows above the door.

He stated, the Planning Commission held a Public Hearing related to the School District's sign variance request on Monday, December 13, 1999. He indicated, no one from the public spoke against the variance. He indicated, the Planning Commission has recommended the City Council approve the sign area variance of 3 square feet and a height variance of 5 feet.

Moved by Councilmember Menard, second by Councilmember Kosmo to approve

Bayport City Council Meeting Minutes
January 3, 2000

Variance No. 99-16V for the Andersen Elementary School located at 309 No. 4th Street, Bayport, Minnesota.

WHEREAS: The City of Bayport has received a request from the Stillwater Area Public School District No. 834, for the City to consider granting sign variances to allow the School District to erect a "Andersen Elementary" sign on the front entrance of the school facing North 4th Street, and;

WHEREAS: The Stillwater Area Public School District is the owner of property located at 309 No. 4th Street designated as Andersen Elementary School, and;

WHEREAS: Andersen Elementary School located at 309 No. 4th Street is zoned R4 Single Family Urban District, and;

WHEREAS: The School District is requesting a name plate sign indicating the name of the Elementary School as Andersen Elementary be erected at the front entrance of the school facing North 4th Street, and;

WHEREAS: Zoning Ordinance Section 727.27(3) specifies that one name plate sign is permitted within the R4 Urban District, and;

WHEREAS: The School District is proposing to erect a name plate sign measuring 6 inches in height by 12 feet in length equal to 6 square feet, and;

WHEREAS: The Zoning Ordinance Section 727.27(4) states that a name plate sign cannot exceed 3 square feet, and;

WHEREAS: The School District is requesting the name plate sign be constructed 6 inches in height and 12 feet long to permit the name plate sign affixed above the entrance door on Andersen Elementary School to be seen by pedestrians and individuals driving vehicles on North 4th Street located approximately 90 feet from the front entrance, and;

WHEREAS: If the School District is not allowed to construct a name plate sign measuring 6 inches by 12 feet, it will significantly reduce the visibility of the Andersen Elementary School sign by pedestrians and drivers along North 4th Street and would, therefore, constitute a hardship or particular difficulty outlined in Zoning Ordinance Section 301(171), and;

Bayport City Council Meeting Minutes
January 3, 2000

WHEREAS: The School District is proposing to fasten the Andersen Elementary School sign on a stone mantel directly above the front door entrance, and;

WHEREAS: Zoning Ordinance Section 727.27(5) specifies the height of a name plate sign cannot exceed 8 feet, and;

WHEREAS: The Andersen Elementary sign located directly above the entrance door will be positioned at a height of 13 feet, and;

WHEREAS: Because the entrance to Andersen Elementary School is significantly elevated above ground level, the only way the sign could be erected to meet the 8 foot height requirement would be to place the sign in the window area of the door entrance, which would significantly reduce its visibility, and;

WHEREAS: The City Council has determined that placing the sign at the required 8 foot height would significantly reduce the visibility of the Andersen Elementary School sign and, therefore, constitutes a particular difficulty as outlined in the City's Zoning Ordinance Section 301(171).

NOW THEREFORE BE IT RESOLVED: By the City Council of the City of Bayport, does hereby resolve as follows:

3. Approve a variance from Zoning Ordinance Section 727.27(4) approving a sign area variance of 3 square feet from the Zoning Ordinance maximum of 3 square feet permitting the Andersen Elementary School name plate sign to be constructed with a total of 6 square feet.
4. Approve a variance from Zoning Ordinance Section 727.27(5) granting a height variance of 5 feet from the Zoning Ordinance maximum height requirement of 8 feet permitting the Andersen Elementary School name plate to be constructed at a height of 13 feet.

BE IT FURTHER RESOLVED: That the City Council approves the above variances with the condition that the Andersen Elementary School nameplate sign be constructed of dark colored letters.

Voting in favor: Councilmembers Menard, Kosmo, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Linda Newell.

**Discuss Adopting a Resolution Authorizing the Transfer
of \$1,986.00 from the City's General Fund to Tax Increment
Financing Economic Development District No. 2**

Member Kosmo introduced the following resolution and moved its adoption:

RES. NO. 00-07

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE TRANSFER OF \$1,986.00 FROM THE CITY'S GENERAL FUND,
UNALLOCATED EXPENDITURES EMERGENCY RESERVE FUND, 44100-540, TO
THE CITY OF BAYPORT'S TAX INCREMENT FINANCING ECONOMIC
DEVELOPMENT DISTRICT NO. 2, EFFECTIVE DECEMBER 31, 1999

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

Jim Menard - aye

Linda Newell - absent

Jim Kosmo - aye

Sharon Ridgway - aye

Allen Schultz - aye

**Discuss Adopting a Resolution Closing the 1992 General
Obligation Improvement Bond Debt Service Fund, 311, and Transferring
Residual Asset of \$33,254.37 to the Street and Utility
Reconstruction Fund, 102**

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-08

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
CLOSING THE 1992 GENERAL OBLIGATION IMPROVEMENT BOND DEBT
SERVICE FUND, 311, AND TRANSFERRING RESIDUAL ASSETS OF \$33,254.37 TO
THE STREET AND UTILITY RECONSTRUCTION FUND, 102

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

Bayport City Council Meeting Minutes
January 3, 2000

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Awarding a Contract for Grass and
Ground Maintenance Services**

Ken Hartung stated, at the City Council meeting of November 1, 1999, the Council adopted Resolution 99-128, approving advertising for bids for the City of Bayport's Grass cutting and Ground Maintenance Services from May 1st through October 31, 2000, 2001 and 2002, and establishing a bid date for Wednesday, December 8, 1999. Ken Hartung stated, the City sent bid documents to local grass cutting vendors and advertised in the Stillwater Evening Gazette that the City was accepting bids for grass cutting services. He noted, the City received three bids associated with grass cutting and ground maintenance services for the years of 2000, 2001 and 2002. He stated, the low bid for the base bid including the City's parks, Perro Creek, water storage tank site and some selected boulevards along with an alternate bid for Hazelwood Cemetery was submitted by Cutting Edge Lawn and Landscaping Inc. Ken Hartung stated, he has checked out the 5 references associated with work performed by Cutting Edge Lawn and Landscaping Inc., and he indicated, all references indicated they are very satisfied with the work performed by Matt Harty of Cutting Edge Lawn and Landscaping Inc. He indicated, based on the bid prices and reference checks, he is recommending the City Council award a contract to Cutting Edge Lawn and Landscaping Inc., for grass cutting and ground maintenance services associated with the years of 2000, 2001 and 2002. He stated, City Attorney Jim Lammers has constructed a draft contract agreement between the City of Bayport and Cutting Edge Lawn and Landscaping Inc., for Councilmembers review and approval this evening.

Councilmember Kosmo stated, there is a significant difference between the prices quotes by other vendors and Cutting Edge Lawn and Landscaping Inc., for the services required in Hazelwood Cemetery. He asked, Matt Harty if he could live with the cost he quoted for Hazelwood Cemetery of \$4,200.00 was contrasted with the next lowest bid of \$12,780.00.

Matt Harty stated, he will live with his bid and can perform the work as outlined in the bid proposal for the amount of his bid.

Member Kosmo introduced the following resolution and moved its adoption:

RES. NO. 00-09

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AWARDING A CONTRACT FOR GRASS CUTTING AND GROUND MAINTENANCE
SERVICES TO CUTTING EDGE LAWN AND LANDSCAPING INC., STILLWATER,
MINNESOTA, FROM MAY 1ST THROUGH OCTOBER 31ST FOR THE YEARS OF
2000, 2001 AND 2002

The motion for adoption of foregoing resolution was duly seconded by Member Ridgway and upon roll being taken thereon, the following voted via voice;

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Ranking City Administrator's Tasks
for 2000**

Ken Hartung indicated, that at the Council Workshop of Tuesday, December 14, 1999, Councilmembers identified 15 tasks or issues which have a potential for priority work by the City Administrator in the year 2000. He noted, since that time he has added a 16th item for Councilmembers review. He indicated, this evening he is asking that Councilmembers identify 6 priority items from the list of 16 to help identify the top issues the City Administrator should work on during the year 2000.

Councilmembers individually listed their priority items and City Administrator Ken Hartung recorded those on a sheet listing the 16 identified tasks and issues.

Councilmembers instructed City Administrator Ken Hartung to contact Councilmember Linda Newell who is absent this evening to ask for her top 6 items. City Administrator Ken Hartung was instructed to report the results of the final tally of Councilmembers prioritizing his year 2000 tasks and issues at the City Council meeting of Monday, February 7, 2000.

**Discuss Cost of Living Salary Adjustment for the
City Administrator**

Councilmember Jim Kosmo stated, the Public Works and Police Unionized Contracts called for a 2.5% salary increase in the Year 2000. Additionally, he stated, non-unionized employees received a 2.5% cost of living adjustment for the Year 2000. He stated, he is very pleased with City Administrator Ken Hartung's performance over the past year and sees no reason not to give the City Administrator a cost of living

Bayport City Council Meeting Minutes
January 3, 2000

adjustment consistent with all other employees.

Moved by Councilmember Menard, second by Councilmember Ridgway to approve a cost of living adjustment of 2.5% to the City Administrator's salary specified in his contract for the year 2000.

Voting in favor; Councilmembers Menard, Ridgway, Schultz and Kosmo.

Voting against: None.

Absent: Councilmember Newell.

**Discuss Approving a Proposal for Staff Support to Seek
State Funding for construction of a State of Minnesota
Storm Sewer**

Moved by Councilmember Kosmo, second by Councilmember Menard to authorize the City's participation with the communities of Stillwater, Oak Park Heights, and Baytown Township to secure staff support from Legislative Associates Inc. of Stillwater, Minnesota, to seek State funding for construction of a State of Minnesota Storm Sewer Project in the amount of \$3.8 million and that the Council further authorize an expenditure of \$2,330.00 for expenses to be paid Legislative Associates Inc., and that such funds shall be allocated from the City's 1999 Adopted Unallocated Expenditures Emergency Reserve Fund, 44100-540.

Voting in favor; Councilmembers Menard, Kosmo, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Linda Newell.

**Discuss Adopting a Resolution Setting the Date for the
City of Bayport's Local Board of Review**

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-10

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ESTABLISHING THE CITY OF BAYPORT'S 2000 LOCAL BOARD OF REVIEW
HEARING FOR MONDAY, APRIL 10, 2000, IN THE BAYPORT CITY COUNCIL

CHAMBERS, 294 NO. 3RD STREET

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

Jim Menard - aye
Linda Newell - absent
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution Authorizing the Installation
of Building sprinkler System in the Bayport Fire Station**

Ken Hartung stated, the City of Bayport and its Fire Department have been working on installing a fire sprinkler system in the Bayport Fire Department since the end of 1998. Ken Hartung stated, Fire Chief Brad Carmichael has secured two quotes for the installation of fire sprinkler system in the Bayport Fire Department. He indicated, those quotes are from:

- | | |
|--|-------------|
| 1. Grinnel Fire Protection System co.
New Hope, Minnesota | \$15,157.00 |
| 2. Fire Guard Sprinkler Service Inc.
St. Paul, Minnesota | 14,345.00 |

He stated, he and Fire Chief Brad Carmichael are recommending the City Council authorize the installation of a sprinkler system at the Bayport Fire Department by Fire Guard Sprinkler Service Inc., of St. Paul, Minnesota, for a cost of \$14,345.00.

Member Kosmo introduced the following resolution and moved its adoption:

RES. NO. 00-11

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE INSTALLATION OF A BUILDING SPRINKLER SYSTEM IN THE
BAYPORT FIRE DEPARTMENT BY FIRE GUARD SPRINKLING SERVICE INC., ST.
PAUL, MINNESOTA, FOR A COST OF \$14,345.00

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

Jim Menard - aye

Sharon Ridgway - aye

Bayport City Council Meeting Minutes
January 3, 2000

Linda Newell - absent
Jim Kosmo - aye

Allen Schultz - aye

ADMINISTRATOR'S REPORT

**Andersen Corporation Donation Toward a
City Police Vehicle**

Ken Hartung stated, the City has received a donation from the Andersen Corporation in the amount of \$20,000 toward the purchase of a new City Police Vehicle. He indicated, the City is very appreciative of the Andersen Corporation's commitment to the community.

**South Lakeside Drive Feasibility Study
\$1,023.20**

Ken Hartung stated, the City Council motion authorizing the expenditure to conduct the South Lakeside Drive Feasibility Study identified the maximum cost of the Feasibility Study at \$1,000.00. He indicated, the actual bill from Short-Elliott-Hendrickson came in at \$1,023.20, which is \$23.20 over the amount authorized by the City Council. He indicated, in order for the City to pay the additional \$23.20, the Council will have to take formal action approving the additional expenditures.

Moved by Councilmember Kosmo, second by Councilmember Menard to authorize an additional expense of \$23.20 for the South Lakeside Drive Feasibility Study.

Voting in favor: Councilmembers Kosmo, Menard, and Schultz.

Voting against: Councilmember Ridgway.

Absent: Councilmember Newell.

**Update on State Forfeiture Property
Bayport Garage
342 5th Avenue North**

Ken Hartung stated, the County has secured a vendor to remove two tanks on the west side of the Bayport Garage. He indicated, soil samples have been taken and are being analyzed to determine if there is any pollution under the removed tanks. He noted, it will take approximately 2 to 3 weeks to determine the results. He indicated, if

Bayport City Council Meeting Minutes
January 3, 2000

pollution is determined to exist under the tanks, appropriate action will have to be taken by the contractor to remove the contaminated soils. He indicated, there is a fuel tank and a oil drain tank under the floor of the building. He noted, those tanks will be removed and soil samples will be taken to determine if any contamination is present in that area. Additionally, he indicated, the County has authorized the demotion of the building for March or April of this year. He stated, he will keep Councilmembers abreast of progress on this item.

ADJOURN

Moved by Councilmember Menard, second by Councilmember Ridgway to adjourn the City Council Meeting.

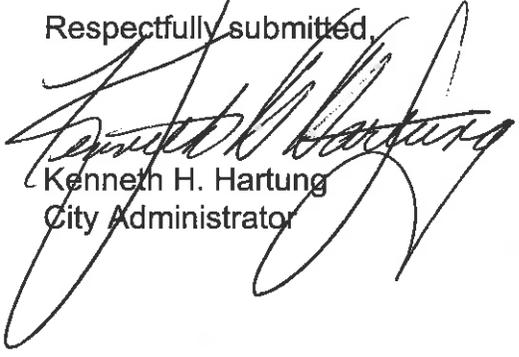
Voting in favor: Councilmembers Menard, Kosmo, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Newell.

The City Council of Monday, January 3, 2000, was adjourned at 9:20 PM.

Respectfully submitted,



Kenneth H. Hartung
City Administrator

Bayport City Council Meeting Minutes
February 7, 2000

CITY OF BAYPORT
BAYPORT CITY COUNCIL MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
FEBRUARY 7, 2000
7:00 PM

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Allen Schultz called City Council meeting of February 7, 2000, to order at 7:00 PM and asked the Council, staff and audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Allen Schultz, Councilmembers Jim Menard, Sharon Ridgway and Linda Newell.

Members Absent: Councilmember Jim Kosmo.

Others Present: City Administrator, Ken Hartung; and City Attorney, Jim Lammers.

CONSENT AGENDA

Member Menard introduced the following resolution and moved its adoption:

RES. 00-12

RESOLUTION CITY OF BAYPORT, WASHINGTON, MINNESOTA, APPROVING
CONSENT AGENDA ITEMS A,B,C AND D FROM THE FEBRUARY 7, 2000, COUNCIL
AGENDA

- A. Approve the minutes of the Regular City Council Meeting of January 3, 2000.
- B. Approve bills as presented in the amount of \$102,780.13.
- C. Approve receipts as presented in the amount of \$168,150.72.
- D. Approve the building/plumbing/heating permits issued during the month of January, 2000.

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

Bayport City Council Meeting Minutes
February 7, 2000

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

PUBLIC HEARINGS

Ken Hartung stated, there are no Public Hearings scheduled for this evening's meeting.

PETITIONS

Ken Hartung indicated, Greg Piekarski, the Central St. Croix Valley Cable Communications Administrator, is here this evening to introduce himself to Councilmembers.

Greg Piekarski stated, he would like to thank Councilmembers for making a spot available on the Council Agenda for him. He indicated, since he has come to the Cable Commission there are a number of changes which have been initiated. For example, programming on the Cable Commission Channels of 15 and 16 now take place from 7:00 AM to 8:00 PM. He noted, Channel 15 primarily carries sporting and education activities while Channel 16 is dedicated to government programs. He indicated, he is going to be emphasizing working with local governments to make available to them more free access to the production of local based educational programs. He will be contacting the City Administrator to discuss Bayport's needs.

Mayor Allen Schultz thanked Greg Piekarski for coming to this evening's meeting.

CITY ATTORNEY

City Attorney Jim Lammers stated, he has nothing to add at this point of the agenda.

CITY ENGINEER

Ken Hartung indicated, he told the City Engineer he did not have to be at this evening's meeting because there was nothing on the agenda which required the City Engineer's review.

DEPARTMENT HEADS

Ken Hartung stated, he had nothing to review with Councilmembers at this point,

Bayport City Council Meeting Minutes
February 7, 2000

unless Councilmembers had specific questions they wish to direct to him.

COUNCIL LIAISON REPORTS

Central St. Croix Cable Communication Commission

Councilmember Sharon Ridgway stated, the Cable Commission was scheduled to hold a regular meeting on Wednesday, January 19, 2000. However, because of bad weather, the Cable Commission moved its meeting to Wednesday, January 26, 2000. She stated, at the meeting Commission members recognized Ann Bodlovick who is retiring from the Cable Commission after 20 years of service.

Additional items considered at the Cable Commission meeting were:

1. The Cable Commission approved a health plan for its new employees.
2. Authorized a joint franchise fee audit.

Councilmember Ridgway stated, the Cable Commission is also negotiating with the Lower St. Croix Valley regarding payment to the Cable Commission for cable services they receive. She noted, good progress is being made in this area.

Councilmember Ridgway stated, the next Cable Commission meeting will be held on Wednesday, February 16, 2000, at 7:30 PM at Bayport City Hall.

OLD BUSINESS

Ken Hartung stated, no Old Business has been scheduled for this evening's meeting.

NEW BUSINESS

Discuss Adoption of a Motion Approving an Amendment to the Central St. Croix Valley Cable Communication Commission Joint and Corporative Agreement

Ken Hartung stated, at the City Council meeting of January 3, 2000, Councilmembers discussed the possibility of amending a section of the Joint Cable Commission Agreement which established the criteria for alternates to be appointed to the Cable Commission. He noted, the amendment would allow participating communities to appoint an individual who works in the community but does not live in

Bayport City Council Meeting Minutes
February 7, 2000

the community to the Cable Commission. He indicated, the Cities of Oak Park Heights and Stillwater have already approved the amendment.

Moved by Councilmember Menard, second by Councilmember Newell to approve Articles of Amendment to the Central St. Croix Valley Communications Commission Joint and Cooperative Agreement and authorize and direct the Mayor and City Administrator to sign the amended agreement.

Voting in favor: Councilmembers Schultz, Menard, Newell and Ridgway.

Voting against: None.

Absent: Councilmember Kosmo.

**Discuss Adopting a Motion Approving the Specifications
for Weed Control and Fertilizer Services for the
City of Bayport**

Moved by Councilmember Ridgway, second by Councilmember Menard to approve the Request for Proposals for the City of Bayport for Feed Control and Fertilizer Application dated February 7, 2000, and authorize the City Administrator to send the Request for Proposal to area vendors for their response.

Voting in favor: Councilmembers Ridgway, Newell, Menard and Schultz.

Voting against: None.

Absent: Councilmember Kosmo.

**Discuss a Proposed Right-of-Way Permit and Facility
Use Agreement Between the City of Bayport and Metricom, Inc.**

Ken Hartung stated, the City has been approached by Bill Buell, a representative of Metricom Inc., to attach 10 to 12 small shoe box size wireless internet transmitters to selected City of Bayport and NSP light poles. He noted, the small transmitters provide subscribers with wireless Internet, e-mail and local area network access at speeds of up to 128 kilobytes per second. He noted, Metricom is proposing to attach these wireless Internet transmitters in cities throughout the Metropolitan area. He stated, the transmitters would allow Metricom Internet subscribers with a wireless modem to access Internet, e-mail and local area networks. He stated, in order for Metricom to use the City's light poles and City's right-of-way, it is necessary for Metricom to enter into an agreement specifying the conditions and compensation for the use of the City's light

Bayport City Council Meeting Minutes
February 7, 2000

poles and right-of-way. He noted, Metricom has been working with the League of Minnesota Cities attorneys to draft a standard agreement which would apply to all communities in the Metropolitan Area. He indicated, a copy of the right-of-way and facility use draft agreement between the City of Bayport and Metricom has been reviewed by the City Attorney who found it to be in order. Ken Hartung reviewed the highlights of the proposed agreement.

Bill Buell, representing Metricom Inc., showed the Council the white box which is used as a transmitter and receiver for Internet service provided by Metricom. He noted, there is a map in the Councilmembers' packet which shows the approximate location of radio transmitters in the City of Bayport. He indicated, the final location of each transmitter will be determined after the City Council approves the Agreement and a study has been done to determine the best locations. He indicated, the location of the transmitters will be subject to approval of the City Council. He indicated, Metricom Inc., is a California based company which established in 1985. He indicated, the wireless Internet system provided by Metricom is operating in Seattle and San Francisco. He stated, the Twin Cities is one of 12 Metro Areas identified to be operational in the year 2000. Those areas involved in the Twin Cities for operation in the Year 2000 include 75 cities in 7 counties. He noted, Metricom hopes to install the radios by the fourth quarter of this year. He indicated, the radios make Internet service available wherever an individual is with the use of a portable modem which attaches to the computer. He indicated, the service of this Internet service will be approximately \$40.00 per month. He stated, as part of an agreement with the City, the City will be provided 10 free Internet subscriptions which include an Internet service provider.

Councilmembers asked Mr. Buell some general questions related to the systems technical capability and the wireless transmitter and receivers integrity.

Member Newell introduced the following resolution and moved its adoption:

RES. 00-13

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING A RIGHT-OF-WAY USE AGREEMENT BETWEEN THE CITY OF
BAYPORT AND METRICOM, INC.

The motion for adoption of the foregoing resolution was duly seconded by Member Menard and upon roll being thereon, the following voted via voice:

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

Bayport City Council Meeting Minutes
February 7, 2000

**Discuss Approving Additional Funding for Staff Support
to Seek State Funding for Construction of the State of Minnesota
Storm Sewer**

Moved by Councilmember Menard, second by Councilmember Newell to authorize an additional \$1,026.00 to fund the Legislative staffing effort seeking Legislative approval of \$3.8 million for the reconstruction of the State of Minnesota Storm Sewer and that the \$1,026.00 be designated from the 1999 General Fund Balance to the Mayor and Council, 41200-306, Professional Services and that together with the amount approved at the January 3, 2000, Council meeting, this brings the total amount to be funded by the City of Bayport to \$3,356.00.

Voting in favor; Councilmembers Newell, Schultz, Ridgway and Menard.

Voting against: None.

Absent: Councilmember Kosmo.

**Discuss Adopting a Resolution Approving Specifications and
Setting a Bid Date for a New Police Vehicle**

Member Menard introduced the following resolution and moved its adoption:
RES. 00-14

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING THE BID SPECIFICATIONS FOR A 2000 CHEVROLET TAHOE/GMC
YUKON SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT AND
ESTABLISHING A BID DATE FOR 10:00 AM, CST, FRIDAY, FEBRUARY 25, 2000.

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

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Authorizing a Part-time Administrative/Community
Service Officer for the Police Department**

Ken Hartung stated, at the City Council Year 2000 Budget Workshop meeting held on July 19, 1999, Police Chief John Gannaway presented a proposal for an

Bayport City Council Meeting Minutes
February 7, 2000

Administrative/Community Service Officer for the Police Department. Chief Gannaway indicated, the Administrative/Community Service Officer would assist the Police Department with a number of clerical duties which Police Officers spend a great deal of time on during the day. He indicated, the Police Chief was seeking to fund the position at 25% with the year 2000 Budget and would seek grant funding for 75% of the cost of the position. He noted, shortly after the July 19th Council Workshop, Police Chief John Gannaway submitted a grant application to the Minnesota Department of Public Safety Office of Drug Policy and Violence Prevention seeking up to 75% fund for the Administrative/Community Service Officer's position. He indicated, on November 18th Police Chief John Gannaway received a letter from the granting agency indicating the City was not successful in obtaining the grant. Consequently, Police Chief John Gannaway and I are coming back to the City Council to ask the City Council to consider funding the position for 20 to 25 hours per week beginning February 14, 2000, and ending on December 31, 2000.

Police Chief John Gannaway indicated, he is requesting the position so the Police Department can do a better job of providing quality service to residents of Bayport. He stated, the average officer spends 20% to 30% of their time performing clerical functions. He noted, this keeps the City's Licensed Uniform Officers from performing their patrol, investigation and on the street duties. Additionally, Chief Gannaway stated, he spends approximately 75% of his time completing various administrative paperwork and Officer Logan spends approximately 50% of his time conducting office administrative and completing paperwork. He stated, the part time Administrative/Community Service Officer duties include parking enforcement, animal enforcement, ordinance enforcement, vacation checks and park patrol. The salary for the position, he noted, would be established at \$10.00 per hour and would not include any other benefits.

Councilmember Newell stated, she understands the Police Chief's need for additional staff considering the amount of State mandated paperwork associated with Police work in today's environment. However, she stated, she believes before the Police Department gets additional help, the Administration Department should receive additional staff support.

Ken Hartung stated, he supports the position for the Police Department because of a need to finalize some catch up activities associated with the Police Department before Police Chief John Gannaway came on board. He indicated, it is important to free up our Licensed Police Officers to be out on the streets and not have them focused on clerical duties and constructing a policy manual. He indicated, he supports the position of a one time part-time Administrative/Community Officer until December 31, 2000.

Councilmember Newell asked, will the position appear on next year's budget?

Ken Hartung stated, the position the Council is considering approving tonight expires on December 31, 2000. He noted, the only way the position could continue into next year would be for the City Council to approve the position in the Year 2001 Budget.

Moved by Councilmember Newell, second by Councilmember Menard to establish the Administrative/Community Officer's position and authorize funding the position up to 25 hours per week effective February 14, 2000, through December 31, 2000, for an amount of \$14,728.00.

Voting in favor: Councilmembers Newell, Ridgway, Menard and Schultz.

Voting against: None.

Absent: Councilmember Kosmo.

**Discuss Approving a Minnesota Lawful Gambling Application
for Authorizing for an Exemption from Lawful Gambling
License for the Andersen ALCO Club**

Moved by Member Menard, second by Member Newell to approve the Minnesota Lawful Gambling Application for Authorization for an Exemption from Lawful Gambling License for the Andersen ALCO Club for the date of Saturday, July 22, 2000, and authorize the City Administrator to sign the application.

Voting in favor: Councilmembers Newell, Menard, Ridgway and Schultz.

Voting against: None.

Absent; Councilmember Kosmo.

**Discuss Authorizing the City Engineer Prepare Year 2000 Sealcoating
Specifications and Approve the City's Participation in Washington County's
Sealcoating Project**

Member Menard introduced the following resolution and moved its adoption:
RES. 00-15

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,

Bayport City Council Meeting Minutes
February 7, 2000

AUTHORIZING PARTICIPATION WITH WASHINGTON COUNTY IN ITS 2000 SEALCOATING CONTRACT, AUTHORIZING WASHINGTON COUNTY TO ADVERTISE FOR SEALCOATING BIDS ON BEHALF OF THE CITY OF BAYPORT AND AUTHORIZING SEH TO PREPARE BID SPECIFICATIONS ASSOCIATED WITH THE 2000 SEALCOATING PROGRAM

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

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution Adopting the State of Minnesota
Department of Administration Revised General
Records Retention Schedule
Date May, 1994**

Member Newell introduced the following resolution and moved its adoption:
RES. 00-16

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ADOPTING THE MAY OF 1994 STATE OF MINNESOTA DEPARTMENT OF
ADMINISTRATION REVISED GENERAL RECORDS RETENTION SCHEDULE

Motion for adopting the foregoing resolution was duly seconded by Member Ridgway and upon roll being taken thereon, the following voted via voice;

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution for a Public Hearing to
Discuss the Need for Adoption of An adult Entertainment Ordinance**

Member Menard introduced the following resolution and moved its adoption:
RES. 00-17

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA
ESTABLISHING A PUBLIC HEARING FOR MONDAY, APRIL 3, 2000, AT 7:00 PM AT

Bayport City Council Meeting Minutes
February 7, 2000

BAYPORT CITY HALL, 294 NO. 3RD STREET, BAYPORT, MINNESOTA, FOR THE
PURPOSE OF RECEIVING PUBLIC COMMENT ON THE NEED FOR THE
ADOPTION OF AN ADULT ENTERTAINMENT ORDINANCE

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

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution Supporting the Efforts of Ramsey
and Washington County Local Governments to Secure State of
Minnesota Financial Assistance to Construct a Joint Public
Safety Training Facility to Serve the Local Governments of
Ramsey and Washington Counties**

Member Menard introduced the following resolution and moved its adoption:
RES. 00-18

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY MINNESOTA,
SUPPORTING A RAMSEY AND WASHINGTON COUNTY JOINT PUBLIC SAFETY
TRAINING FACILITY AND SUPPORTING STATE OF MINNESOTA LEGISLATION TO
PROVIDE FINANCIAL ASSISTANCE FOR THE CONSTRUCTION OF THE JOINT
FACILITY

The motion for adoption of the foregoing resolution was duly seconded by Member
Newell and upon roll being taken thereon, the following voted via voice.

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution Supporting the Retention of Cities
Authority to Franchise Companies Providing Cable Television
Services**

Member Menard introduced the following resolution and moved its adoption:
RES. 00-19

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,

Bayport City Council Meeting Minutes
February 7, 2000

EXPRESSING THE CITY OF BAYPORT'S STRONG OPPOSITION TO ANY LEGISLATION WHICH WOULD REMOVE THE AUTHORITY FROM THE CITY OF BAYPORT TO FRANCHISE COMPANIES PROVIDING CABLE TELEVISION SERVICES TO ITS COMMUNITY

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

Jim Menard - aye
Linda Newell - aye
Jim Kosmo - absent

Sharon Ridgway - aye
Allen Schultz - aye

ADMINISTRATOR'S REPORT

Planning Commission Public Hearing

Ken Hartung stated, this is a courtesy reminder to Councilmembers and members of the community of the Planning Commission Public Hearing for Monday, February 14, 2000, at 7:00 PM for a 6 townhome development proposal located on Block 92.

**Bayport/Oak Park Heights Strategic
Planning Meeting**

Ken Hartung stated, City Administrator, Tom Melena, and he are suggesting Bayport and Oak Park Heights hold its Strategic Planning Meeting on Wednesday, March 22, 2000, at 7:00 PM at Bayport City Hall.

Moved by Councilmember Menard, second by Councilmember Newell to establish the Bayport/Oak Park Heights Strategic Planning Meeting for Wednesday, March 22, 2000, at 7:00 PM at Bayport City Hall.

Voting in favor: Councilmembers Menard, Newell, Ridgway and Schultz.

Voting against: None.

Absent: Councilmember Jim Kosmo.

February City Council Workshop

Ken Hartung stated, he would like to have the City Council schedule a Workshop for this week to discuss a number of issues listed in the Council Agenda.

Bayport City Council Meeting Minutes
February 7, 2000

Moved by Councilmember Newell, second by Councilmember Menard to establish a City Council Workshop for Thursday, February 10, 2000, at 7:00 PM in the City Hall Council Chambers to discuss the following items:

1. Discuss Fire Department Equipment Replacement Schedule and Financing.
2. Discuss Options Associated with Repair or Replacing the City's Public Works Department Front End Loader.
3. A Report from the City's Building Official, Jim Butler.

Voting in favor: Councilmembers Menard, Newell, Schultz and Ridgway.

Voting against: None.

Absent: Councilmember Jim Kosmo.

**Set Meeting with MNDot Representative to
Explain Traffic Study**

Ken Hartung stated, the Minnesota Department of Transportation has completed its Traffic Study which the City requested following the pedestrian accident at 3rd Avenue North and Highway 95. He indicated, he would like to schedule a meeting with MNDot representatives and representatives of the Andersen Elementary School, the Andersen Corporation and the City's Public Works and Police Departments. He indicated, he tried to schedule the meeting for 9:00 AM on Thursday, February 10, 2000, or Friday, February 18, 2000.

Councilmembers concurred with the proposed schedule for meeting with MNDot and asked the City Administrator to contact Jim Menard and Allen Schultz with the meeting times and dates.

OTHER AGENDA ITEMS

Letter to Metropolitan Council

Councilmember Linda Newell stated, in the Council Information Packet of Friday, February 4, 2000, the City Administrator included a letter from Ted Mondale, Chair, of the Metropolitan Council. Mr. Mondale's letter indicates that for a third year the Metropolitan Council is lowering its sanitary sewer rates for its city customers. She indicated, the Met Council over the past three years has lowered its Service Charge by \$15.00 per 100,000 gallons of municipal sewage water treated. She indicated, she

Bayport City Council Meeting Minutes
February 7, 2000

would like to have the City Administrator write a letter to Chair, Ted Mondale, thanking the Metropolitan Council for its efforts.

Moved by Councilmember Newell, second by Councilmember Ridgway to direct the City Administrator to write a letter to Ted Mondale, Chair, of the Metropolitan Council expressing the City's appreciation for the Metropolitan Council's cost containment in its Environmental Service Division.

Voting in favor: Councilmembers Newell, Menard, Schultz and Ridgway.

Voting against: None.

Absent; Councilmember Jim Kosmo.

ADJOURN

Moved by Councilmember Menard, second by Councilmember Newell to adjourn the City Council meeting of Monday, February 7, 2000.

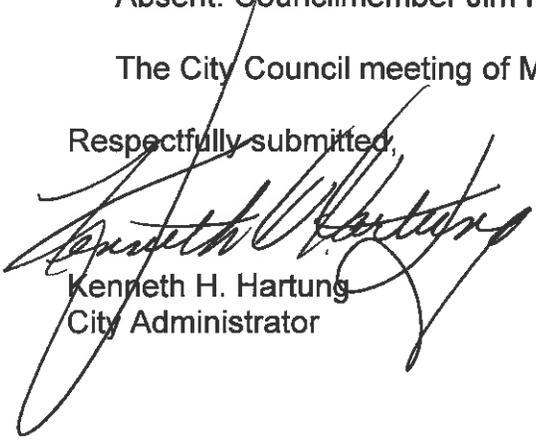
Voting in favor: Councilmembers Menard, Newell, Schultz and Ridgway.

Voting against: None.

Absent: Councilmember Jim Kosmo.

The City Council meeting of Monday, February 7, 2000, was adjourned at 8:25 PM.

Respectfully submitted,



Kenneth H. Hartung
City Administrator

Bayport City Council Workshop Minutes
February 10, 2000

CITY OF BAYPORT
BAYPORT CITY COUNCIL WORKSHOP
BAYPORT CITY COUNCIL CHAMBERS
FEBRUARY 10, 2000
7:00 PM

CALL TO ORDER

Mayor Allen Schultz called the Bayport City Council Workshop of Thursday, February 10, 2000, to order at 7:00 PM and asked the City Administrator to call roll.

ROLL CALL

Members Present: Mayor Allen Schultz, Councilmembers Linda Newell, Jim Menard, and Sharon Ridgway. Councilmember Jim Kosmo arrived at 7:05 PM.

Members Absent: None.

Others Present: Ken Hartung, City Administrator; Brad Carmichael, Fire Chief; Mel Horak, Public Works Supervisor, and Jim Butler, Building Official.

**Discuss the City's Building Inspection
Program**

Jim Butler, Bayport's Building Official, under contract by the City Bayport from Oak Park Heights, distributed an information pamphlet which recaps the value of Building Permits which have been issued in the City of Bayport from 1995 through 1999. Mr. Butler summarized the value of the Building Permits issued by the City of Bayport for the years of 1995 through 1999 as follows:

1. 1995	\$6,854,777.00
2. 1996	4,545,272.00
3. 1997	2,171,175.00
4. 1998	1,534,443.00
5. 1999	3,067,369.00

A detailed copy of the information Mr. Butler presented for Building Permit valuations during the years of 1995 through 1999 are included in the minutes as **Attachments A1 through A5.**

Bayport City Council Workshop Minutes
February 10, 2000

Mr. Butler stated, he has a number of permits which he needs to complete a Final Inspection on to insure the work has been completely properly. He indicated, when he completes a Final Inspection he will then turn in a Final Building Inspection bill to the City of Bayport for payment associated with that project.

Jim Butler stated, a significant amount of dollar value associated with Building Permits over the past years has come from remodeling which has taking place at the Minnesota Correctional Facility in Bayport and the Andersen Corporation's main plant at 100 4th Avenue North. Additionally, Mr. Butler stated, the City has experienced a recent increase in new homes being constructed within the City. He noted, last year a duplex was constructed on North 6th Street and this year two new homes are being constructed on Osprey Boulevard.

Ken Hartung stated, Jim Butler does a very good job of Building Inspection for the City of Bayport. He noted, he provides very good service to homeowners and contractors. He indicated, he particularly would like to compliment Jim Butler on his ability to diplomatically handle difficult situations which occasionally come up in the Building Inspection area. In particular, he noted, Jim did an excellent job of handling the conflict between the contractor and the homeowner at 203 No. 5th Street, with Scott Campisi.

Councilmembers thanked Jim Butler for updating the Council on Building Inspection and Building Permits within the City of Bayport.

**Discuss Fire Equipment Replacement and
Finance Schedule**

Ken Hartung indicated, Fire Chief Brad Carmichael is here this evening to outline a Capital Equipment Replacement Schedule and Financing Program for the Fire Department.

Brad Carmichael began by giving the Councilmembers some figures related to the number of Medical and Fire Calls made by the Fire Department in 1999.

**1999 Fire Department
Medical and Fire Calls**

Local Jurisdiction	No. of Runs	Percentage of Runs
Bayport	113	34%
Baytown Township	20	6%
Oak Park Heights	134	41%
West Lakeland Township	63	19%
Mutual Aid Given	9	
Total	339	

**1999 Bayport Fire Department
Call Outs by Service Category**

Service Category	Percent of Runs
Fire/Explosion	7.4%
Pipe Over Pressure/Rupture	4.4%
Medical Calls	57.8%
Hazardous Conditions	10.9%
Service Calls	6.6%
Good Intent Calls	9.4%
False Alarms	3.5%
Total	100%

Brad Carmichael stated, while the City Fire Department responds to Fire and Explosion calls only 7.4% of the time, the Department spends 75% of its time training to responding to fire conditions. He indicated, the Fire Department trains more spent more time training for fire and explosion situations because of the hazards to Fire Personnel.

Brad Carmichael stated, he and Fire Department Personnel have reviewed the Fire Department equipment and have determined the following equipment needs to be replaced:

1. 1987 Ford Chassis Tanker Truck

Bayport City Council Workshop Minutes
February 10, 2000

The Tanker Truck is used as the first vehicle on many fires to initiate fire suppression activities prior to hooking up to a fire hydrant. Additionally, the Tanker Truck is used for rural fires in Baytown and West Lakeland Township as a primary vehicle for fighting fire and transporting water to the scene.

Because the City of Bayport is the Contract Fire Department for a large rural area which does not have city water, the Fire Department is recommending replacing the existing 1300 gallon Tanker with a 2000 gallon Tanker equipped with a 1250 gallon pump. The cost of the new Tanker Truck is estimated at \$200,000.

2. Replace the 1976 65 foot Ladder Truck.

The 1976 Ladder Truck is 65 feet in length and has a manual transmission. A 65 foot ladder has severe limitations for rescue and fighting fire in apartment buildings and the Andersen Corporation Industrial complex. Positioning the fire truck a safe distance of 50 feet back from a fire burning structure, the current Ladder Truck would have very limited fire fighting capability and extremely limited rescue ability on structures like the Raymie Johnson Estates at 14830 58th Street in Oak Park Heights and the Andersen Corporation located at 100 4th Avenue North, Bayport.

The proposal from the Fire Department is to purchase a 100 Ladder Truck with a 1500 gallon per minute pump with piping for compressed Class A Foam and a 470 HP Allison Transmission. The estimated cost for the new Ladder Truck is \$800,000.

3. Purchase a 20 - 22 foot Fire Boat.

The City of Bayport does not have rescue or fire fighting capability on the St. Croix River. The City of Stillwater has boats which are equipped for rescue and retrieval. However, no one on the St. Croix River in this area currently has a boat which is capable of fighting a fire on the River. Areas within the City of Bayport's Fire Service Area which have risk of fire on the St. Croix River is the Bayport Marina, Walt's Marina and Beach House Marina. The City of Bayport would purchase a Fire Boat to compliment existing rescue and retrieval equipment which Stillwater Fire Department has in place. The cost of a 20 - 22 foot Triton Enforcer fire Boat is estimated to be \$65,000.

Brad Carmichael summarized all of the proposed Bayport Fire Department Year 2000 Projects along with financing options in the table below:

**Bayport Fire Department
Proposed 2000 Projects**

Project	Donations	City Money
Participate in project Impact Hall Ventilation System (OSHA Reg.)		\$ 60,000
Confined Space Training	\$ 2,000	
Confined Space Rescue Equipment	12,000	
Replace 10 Fireman Pagers	4,250	
Bayport Water Supply Study and Test		500
Reduce ISO Rating (2000 Fire Budget)		2,000
Add Class A Foam System to Pumper		8,000
Replace Tanker w/Tanker-Pumper		200,000
Replace 65' w/100' Ladder-Pumper	700,000	100,000
Purchase 20-22' Fire Boat	35,000	30,000
Total	\$753,250	\$400,500

After a considerable amount of discussion by Councilmembers, Councilmembers proposed the following strategy associated with Fire Equipment and Training Proposals for the Year 2000.

**City Council of the City of Bayport
Recommended Bayport Fire Department
Year 2000 Projects and Funding**

Project Description	1999 General Fund Balance Funding	Fire Dept. Equip. Replace Funding	Donations
Fire Hall Vent. System Req. by OSHA	\$60,000		
Repair Fire Station Roof Approx. ½ Cost	30,000		
Confined Space Training			\$ 2,000
Confined Space Rescue Equip.			12,000
Replace 10 Fireman Pagers			4,250
Bayport Water Supply Study And Test	500		
Add Class A Foam System to Pumper	8,000		
Replace 1987 Tanker w/Pumper		\$200,000	
Replace 65' Ladder Truck with 100' Ladder Truck		150,000	650,000
Total	\$ 98,500	\$350,000	\$668,250

Councilmembers discussed securing donations for the Ladder Truck. Councilmembers authorized staff to proceed with applications for donations from the Andersen Corporation, Andersen Foundation, Bayport Foundation and MAHADH Foundation to help purchase the 100 foot Ladder Truck, Confined Space Training, Confined Space Rescue Equipment and 10 Fireman's Pagers. The Council also authorized staff to initiate discussions with the City of Oak Park Heights to help with funding for the 100 foot Ladder Truck.

Brad Carmichael stated, he and the City Administrator will be coming back to the City Council for review of specifications for a new Tanker-Pumper to seek authorization from the City Council to go forward with the Tanker-Pumper purchase in the year 2000.

**Discuss Public Works
Front End Loader Replacement
and Financing Schedule**

Public Works Supervisor Mel Horak indicated, the Public Works Department has a 1975 Front End Loader which needs a significant amount of repair to insure its continued safe operation. Mel Horak indicated, he had a representative from Ziegler, an authorized Caterpillar dealer and maintenance company, conduct a technical analysis of the 1975 Front End Loader. Mel Horak handed out to Councilmembers a repair estimate forwarded to the City by Dale Rieppel, Minneapolis Service Manager, with the Ziegler Corporation at 901 West 98th Street, Minneapolis, Minnesota. Mr. Rieppel's estimate to repair the Front End Loader is \$36,880.00. Mel Horak indicated, repairing the 25 year old Front End Loader will not guarantee that the Loader will not need further repairs. Additionally, he stated, the machine will never operate as a new machine would.,

Mel Horak indicated, he and Public Works staff members have looked at replacing the existing Front End Loader with a Caterpillar 914G and 924G. He noted, the 914G is a Caterpillar machine similar to the 1975 Caterpillar Front End Loader the City currently owns. He noted, the new 914G is a slightly larger machine and has a gross weight of 17,000 pounds. The size of the bucket on the 914G is 1.7 yards. The City's current Loader has a bucket which has a capacity of 1.4 yards. The estimated cost of the 914G is \$100,000.

He stated, the 924G is slightly larger than the 914G and has a gross weight of approximately 23,000 pounds. The bucket size is 2.3 cubic yards. However, the big advantage to the 924G is that it comes with an intrical quick hitch feature which allows changing various attachments on the Front End Loader in a matter of minutes. This would allow Public Works staff to use the Front End Loader for a number of different

Bayport City Council Workshop Minutes
February 10, 2000

operations. Additionally, the 924G gives the operator better visibility than the 914 G. The cost of the 924G with attachments is estimated to be \$120,000.

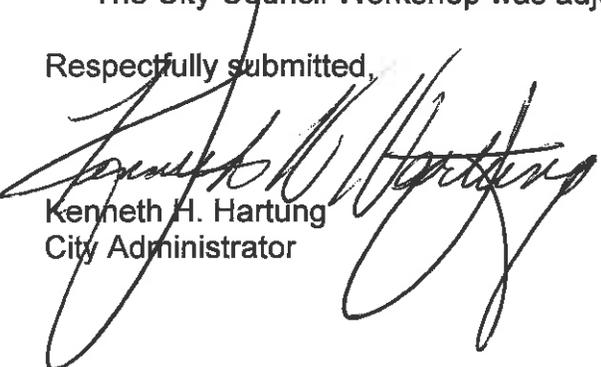
Mel Horak stated, staff also looked at John Deere Front End Loaders, however, the City's Public Works staff believes the Caterpillar loader with its engine and features will give the City a better value.

The City Council agreed that the City of Bayport needs to replace its existing 1975 Front End Loader. The City Council instructed Mel Horak to continue evaluating which Front End Loader would do the most effective job for the Public Works staff. The Council indicated, when Mel Horak and the City Administrator have finished their final review, they should forward on to the City Council their recommendation to the City Council for the purchase of new Front End Loader.

ADJOURN

The City Council Workshop was adjourned at 9:05 PM.

Respectfully submitted,


Kenneth H. Hartung
City Administrator



Building Department Valuation Recap 1995

CITY OF BAYPORT

294 North 3rd Street
Bayport, Minnesota 55003-1027

Phone: (651) 439-2530

Month	Number of Commercial Permits	Value of New Commercial Construction	Value of Commercial Remodeling	Number of New Residential Dwellings	Value of New Residential Dwellings	Number of Residential Remodeling	Value of Residential Remodeling	Total Valuation
01						3	\$ 39,670	\$ 39,670
02	1	\$ 69,000				4	\$ 20,100	\$ 89,100
03	1	\$ 43,000				3	\$ 10,300	\$ 53,300
04	1	\$ 20,000				6	\$ 20,200	\$ 40,200
05	1	\$ 313,315				11	\$ 115,028	\$ 428,343
06	2	\$ 358,700		1	\$ 200,000	3	\$ 11,600	\$ 570,300
07						5	\$ 19,500	\$ 19,500
08						9	\$ 8,885	\$ 8,885
09						8	\$ 21,160	\$ 21,160
10	1	\$ 26,000				1	\$ 6,336	\$ 32,336
11						4	\$ 76,592	\$ 76,592
12	1	\$ 5,465,000				3	\$ 10,280	\$ 5,475,280
	8	\$ 6,295,015		1	\$ 200,000	60	\$ 3598,651	\$ 6,854,777

1995 Supplemental Data

New Commercial Construction:		New Residential Construction:	
Description	Value	Dwelling Type	Value
Andersen Corporation: Remodel Office Space Mezzanine Remodel	\$ 43,000 186,200 26,000	Single Family (x1)	\$ 200,000
Croixdale Retirement Home Remodel	172,500		
Minnesota Correctional Facility: Re-roof Window Replacement Re-roof Remodel	69,000 20,000 313,315 5,465,000		



Building Department Valuation Recap 1996

CITY OF BAYPORT

294 North 3rd Street
Bayport, Minnesota 55003-1027

Phone: (651) 439-2530

Month	Number of Commercial Permits	Value of New Commercial Construction	Value of Commercial Remodeling	Number of New Residential Dwellings	Value of New Residential Dwellings	Number of Residential Remodeling	Value of Residential Remodeling	Total Valuation
01						2	\$ 5,000	\$ 5,000
02	1	\$ 22,000						\$ 22,000
03	1	\$ 92,000				12	\$ 39,966	\$ 131,966
04	1	\$ 207,000				2	\$ 5,590	\$ 212,590
05				1	\$ 160,000	5	\$ 57,256	\$ 211,666
06						6	\$ 14,202	\$ 14,202
07						4	\$ 20,000	\$ 20,000
08						6	\$ 52,600	\$ 52,600
09	1	\$ 3,200,000				7	\$ 23,908	\$ 3,223,908
10						9	\$ 84,350	\$ 84,350
11	1	\$ 480,000				9	\$ 36,000	\$ 516,000
12	1	\$ 35,000				1	\$ 10,400	\$ 45,400
	6	\$ 4,036,000		1	\$ 160,000	63	\$ 349,272	\$ 4,545,272

1996 Supplemental Data

New Commercial Construction:		New Residential Construction:	
Description	Value	Dwelling Type	Value
Andersen Corporation:		Single Family (1)	\$ 160,000
Building 30 Demolition & Slab Work	\$ 22,000		
Building 30 Mezzanine	92,000		
Foundation	207,000		
Storage Bins	480,000		
Building 31 Floor Reinforcement	35,000		
Andersen Elementary School Remodel	3,200,000		



Building Department Valuation Recap 1997

CITY OF BAYPORT

294 North 3rd Street
Bayport, Minnesota 55003-1027

Phone: (651) 439-2530

Month	Number of Commercial Permits	Value of New Commercial Construction	Value of Commercial Remodeling	Number of New Residential Dwellings	Value of New Residential Dwellings	Number of Residential Remodeling	Value of Residential Remodeling	Total Valuation
01	2		\$ 136,000			1	\$ 2,500	\$ 138,500
02	1		\$ 50,000			1	\$ 1,000	\$ 51,000
03						5	\$ 14,500	\$ 14,500
04						9	\$ 27,000	\$ 27,000
05	4		\$ 781,000			13	\$ 64,000	\$ 845,000
06						2	\$ 59,000	\$ 59,000
07	1		\$ 160,000	1	\$ 140,000	10	\$ 33,570	\$ 333,570
08	1		\$ 15,000			9	\$ 56,100	\$ 71,100
09	2		\$ 220,000			14	\$ 101,650	\$ 321,650
10	2		\$ 264,000			5	\$ 29,000	\$ 293,000
11						4	\$ 14,500	\$ 14,500
12						3	\$ 2,355	\$ 2,355
	13		\$ 1,626,000	1	\$ 140,000	76	\$ 405,175	\$ 2,171,175

1997 Supplemental Data

New Commercial Construction:		New Residential Construction:	
Description	Value	Dwelling Type	Value
Andersen Corporation:		Single Family (x1)	\$ 140,000
Truck Docks	\$ 100,000		
Club Room Remodel	36,000		
Building 12 Remodel	50,000		
Building 12 Additional Remodeling	608,000		
Truck Scale	50,000		
Lampert's Building Remodel	160,000		
Building 41 Repairs	15,000		
Conference Room Remodel	70,000		
Corporate Identity Remodel	150,000		
First State Bank of Bayport	25,000		
Minnesota Correction Facility			
Re-roof #11, #12, #35 & #50	214,000		
Cell Accessibility	98,000		
Water Tower Antane	50,000		



Building Department Valuation Recap 1998

CITY OF BAYPORT

294 North 3rd Street
Bayport, Minnesota 55003-1027

Phone: (651) 439-2530

Month	Number of Commercial Permits	Value of New Commercial Construction	Value of Commercial Remodeling	Number of New Residential Dwellings	Value of New Residential Dwellings	Number of Residential Remodeling	Value of Residential Remodeling	Total Valuation
01	1		\$ 360,000			3	\$ 32,000	\$ 392,200
02	1		\$ 100,000	1	\$ 105,000	2	\$ 11,400	\$ 216,400
03						4	\$ 17,814	\$ 17,814
04	1		\$ 100,000			7	\$ 100,800	\$ 200,800
05						8	\$ 40,000	\$ 40,000
06	3		\$ 326,000			5	\$ 21,500	\$ 347,500
07						8	\$ 35,856	\$ 35,856
08						6	\$ 60,000	\$ 60,000
09						9	\$ 64,200	\$ 64,200
10	1		\$ 77,000			12	\$ 46,213	\$ 123,213
11						5	\$ 22,000	\$ 22,000
12						3	\$ 14,660	\$ 14,660
	7		\$ 963,000	1	\$ 105,000	72	\$ 466,443	\$ 1,534,443

1998 Supplemental Data

New Commercial Construction:		New Residential Construction:	
Description	Value	Dwelling Type	Value
American Legion Remodeling	\$ 77,000	Single Family (x1)	\$ 105,000
Andersen Corporation:			
Remodel Andersen Home	360,000		
Foundation Office Building	100,000		
Building 41-A Remodel	100,000		
Guest Cottage - Foundation	10,000		
Building 16 Repair	70,000		
Building 16 Re-roof	246,000		



Building Department Valuation Recap 1999

CITY OF BAYPORT

294 North 3rd Street
Bayport, Minnesota 55003-1027

Phone: (651) 439-2530

Month	Number of Commercial Permits	Value of New Commercial Construction	Value of Commercial Remodeling	Number of New Residential Dwellings	Value of New Residential Dwellings	Number of Residential Remodeling	Value of Residential Remodeling	Total Valuation
01	1		\$ 15,000			1	\$ 10,000	\$ 25,000
02	1		\$ 46,000			3	\$ 37,000	\$ 83,000
03	1		\$ 55,000			6	\$ 56,000	\$ 111,000
04				1	\$ 250,000	6	\$ 36,680	\$ 286,000
05				1	\$ 140,000	9	\$ 26,050	\$ 166,050
06	3		\$ 838,883			9	\$ 22,862	\$ 861,745
07	2		\$ 50,000			12	\$ 63,404	\$ 113,404
08	1		\$ 253,000			5	\$ 69,550	\$ 322,550
09	1		\$ 49,300			5	\$ 36,720	\$ 86,020
10	1		\$ 117,000			11	\$ 148,500	\$ 265,500
11	3		\$ 450,000	1	\$ 286,200	1	\$ 10,000	\$ 746,200
12						1	\$ 220	\$ 220
	14	N/A	\$1,874,183	3	\$ 676,200	69	\$ 516,986	\$ 3,067,369

1999 Supplemental Data

New Commercial Construction:		New Residential Construction:	
Description	Value	Dwelling Type	Value
Andersen Corporation:	\$	Duplex	\$ 250,000
Restroom Remodeling	15,000	Single Family (x2)	426,200
Building 33-A Remodel	55,000		
Conference Room Demolition	30,000		
Conference Room Remodel	160,000		
Building 46 Remodel	49,300		
Building 12-C Remodel	117,000		
Building 10 - Club Room	50,000		
Building 8 - Restrooms	150,000		
Building 33/169 Restrooms	250,000		
Croixdale Apartments Re-roofing	25,000		
Minnesota Correctional Facility:			
Conference Area Remodeling	648,883		
Truck Gates Repair	253,000		
Seigfried Construction Office/Warehouse	46,000		
Woody's Remodeling	25,000		

A5

CITY OF BAYPORT
BAYPORT CITY COUNCIL MINUTES
MONDAY, MARCH 6, 2000
BAYPORT CITY COUNCIL CHAMBERS
7:00 PM

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Allen Schultz called the City Council Meeting of March 6, 2000, to order at 7:00 PM and asked the Council, Staff and audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members present: Mayor Allen Schultz, Councilmembers Jim Menard, Sharon Ridgway, Linda Newell, and Jim Kosmo

Members absent: None

Other present: City Administrator Ken Hartung, City Attorney Jim Lammers, Consulting City Engineer Barry Peters.

CONSENT AGENDA

Member Menard introduced the following resolution and moved its adoption:

RES. NO. 00-20

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS A, B, C, D, AND E FROM THE MARCH 6,
2000 COUNCIL AGENDA.

- A. Approve the Minutes of the Regular City Council Meeting of February 7, 2000.
- B. Approve the Minutes of the City Council Workshop of February 10, 2000.
- C. Approve bills as presented in the amount of \$123,288.82.
- D. Approve receipts as presented in the amount of \$40,977.00.
- E. Approve Building/Plumbing/Heating Permits issued during the month of February, 2000.

The Motion for adopting the foregoing resolution was duly seconded by Member Kosmo, and upon roll being taken thereon, the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

PUBLIC HEARINGS

Discuss an application for Conditional Use Permit, Preliminary Plat Resubdivision and a Lot Width Variance for a six townhome development proposal on Lots 15-24, Block 103, Case Number 00-01 CUP and 00-2V.

Mayor Allen Schultz opened the Public Hearing related to a request for a Conditional Use Permit, Preliminary Plat Resubdivision and a Lot Width Variance for a six townhome development proposal, and asked the City Administrator to read the Notice of Hearing.

Ken Hartung, City Administrator, read the Notice of Hearing, stating, the Notice for this evening's Public Hearing had been published in the Stillwater Evening Gazette on Thursday, February 17, 2000, posted in City Hall on February 19, 2000, and mailed to individuals located within 500 feet of Lots 15-22 on Block 92 and all appropriate government agencies on Tuesday, February 15, 2000.

Ken Hartung, City Administrator stated, a Public hearing has been scheduled this evening to consider an application from Patrick Moore, the owner of property located on Lots 15-22, Block 92, and Lots 15-24, Block 103, requesting that the City hold a Public Hearing related to the following:

1. To consider an application for a Conditional Use Permit to allow the construction of six townhome units on Lots 15-22, Block 92.
2. To consider a request for a Final Plat Resubdivision approval for lots 15-22, Block 92, and Lots 15-24, Block 103, Bayport.
3. To consider granting a Front Lot Width variance of 23 feet, permitting a front lot width of 52 feet instead of the Zoning Ordinance-required 75 feet.

Ken Hartung stated, Patrick Moore has submitted a Certificate of Survey of the property, along with a copy of the layouts of the six townhomes on Block 92, a copy of a Grading, Drainage and Erosion Control Program and Elevation Plan of the proposed

townhomes.

Ken Hartung stated, Mr. Moore is proposing to construct six townhome units on Lots 15-22, Block 92. He indicated that Mr. Moore has stated that he will be leaving Lots 15-24, Block 103, in the current natural condition, and instituting a Conservation and Drainage Easement across the area. He stated that Mr. Moore is proposing a Cluster Development for Lots 15-22 of Block 92, consistent with the City's Bluffland Shoreland Management Ordinance Section 703.01, which states that in a Cluster Development proposal, if the property owner agrees to preserve agricultural open space, woods, scenic views, wetlands, and other features of the natural environment in its present condition, the property owner can propose a number of dwelling units not to exceed 50% more than the total number of dwelling units allowed if the development was based on a minimum-size lot requirement for single family residential subdivision. Consequently, he noted this section of the Bluffland Shoreland Management Ordinance specifies that if the landowner does a Cluster Development, the number of units permitted per 20,000 square feet is 1.5 units, as opposed to the normal requirement of 1 unit per 20,000 square feet. Mr. Moore owns land equal to 125,873 square feet. Dividing 125,873 square feet by the 20,000 square feet required for each residential unit under the normal Bluffland Shoreland Management Ordinance criteria equals 6.29 units. However, he noted, because Mr. Moore is proposing a Cluster Development, Bluffland Shoreland Management Ordinance Section 703.01(2) allows the number of units for an area of 20,000 square feet to be multiplied by 1.5. He indicated that multiplying the allowed number of residential units of 6.29, times 1.5 allows Mr. Moore to have 9.44 units in his proposed development. He indicated that Mr. Moore is requesting the construction of six townhome units, which is well below the ordinance-permitted 9.4 units.

Ken Hartung went on to state, the City of Bayport's ordinance regulations associated with Mr. Moore's townhome unit development proposal for Block 92 involve reviewing the following City ordinances:

1. City Of Bayport Subdivision Ordinance.
2. City Of Bayport Zoning Ordinance.
3. City Of Bayport Bluffland Shoreland Management Ordinance.
4. City Of Bayport's Floodplain Ordinance.
5. City Of Bayport's Stormwater Management Ordinance.

City Administrator Ken Hartung reviewed sections of the City's ordinances that are applicable to Mr. Moore's townhome development with the aid of the following

tables:

**SUBDIVISION ORDINANCE CRITERIA
SIX TOWNHOME UNIT PROPOSAL
LOTS 15 - 22, BLOCK 92 AND LOTS 15 - 24, BLOCK 103**

SUBDIVISION ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	VARIANCE
Section 601	Conform with Comp. Plan of 1996	Conforms to Comp. Plan of 1996	None
Section 605	Public Street Design	N/A	None
Section 606	Private Street 20' Width	Private Street 20' Width	None
Section 702.02(1)	Install City Sewer	Install City Sewer	None
Section 702.02(2)	Install 6" Water main	Install 6" Water main	None
Section 802	Developer Pays for Improvements	Developer Pays for Improvements	None
Section 803	Agreement for Improvement Payment	Agreement for Improvement Payment	None
Section 804	Financial Guarantee 125%	Financial Guarantee 125%	None
Section 906	Meet Resubdivision Criteria	Meet Resubdivision Criteria	None

**SUMMARY OF ZONING ORDINANCE CRITERIA
TOWNHOME RESIDENTIAL PROPOSAL FOR
LOTS 15 - 22, BLOCK 92 AND LOTS 15 - 24, BLOCK 103**

ZONING ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	CONDITIONAL USE PERMIT/VARIANCE
ZO601.01(5)(e)(18) R4 Residential Townhomes	CUP	CUP	CUP
ZO601.01(5)(f)(2) Townhouse Lot Size	Min. 6,000 s.f.	7,200 s.f.	None
ZO601.01(5)(f)(3) Townhomes Floor Area	Min. 800 s.f.	1,700 s.f.	None
ZO601.01(5)(f)(4) Min. Lot Width	75 feet	52 feet	23 foot Variance
ZO601.01(5)(f)(5) Min. Lot Depth	130 feet	140 feet	None

ZONING ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	CONDITIONAL USE PERMIT/VARIANCE
ZO601.01(5)(f)(6) Maximum Lot Coverage	35% 2,548 s.f.	32.5% 2,366 s.f.	None
ZO601.01(5)(f)(7)(a) Maximum Height	35 feet	22 feet	None
ZO601.01(5)(f)(8) Minimum Front Yard Setback	30 feet	30 feet	None
ZO601.01(5)(f)(9) Minimum Rear Yard Setback	30 feet	38 feet	None
ZO601.01(5)(f)(10)(a)	10 feet	10 feet	None

**SUMMARY OF BLUFFLAND SHORELAND MANAGEMENT ORDINANCE CRITERIA
PROPOSAL FOR SIX TOWNHOMES
LOTS 15 – 22, BLOCK 92, LOTS 15 – 24, BLOCK 103**

BLUFFLAND SHORELAND ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	VARIANCE
703.01(2) Cluster Development 140,512 s.f.	9.4 Units	6 units	None
402.01(1) Minimum Lot Size	20,000 s.f.	Section 703.01 waives requirement	None
402.01(2) Minimum Lot Width	100 s.f.	Section 703.01 waives requirement	None
702.01(8) Maximum Height	35 Feet	22 Feet	None
402.01(9) Maximum Impervious Surfaces	125,813 x 20% = 25,167 s.f.	18% 22,837 s.f.	None
503.01 Site Preservation in Urban Areas	No tree cutting within 100' of 675'	Development at least 500' from river and Minimum elevation 680'	None

BLUFFLAND SHORELAND ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	VARIANCE
--	--------------------------	--------------------------	-----------------

503.04 Grading and Filling	Grading and Filling Permit not required for structure	Grading and Filling for structure	None
802 MN DNR Certification	MN DNR Approval	MN DNR letter dated 1/25/00, Approval	None

**SUMMARY OF FLOODPLAIN MANAGEMENT ORDINANCE CRITERIA
TOWNHOME PROPOSAL FOR
LOTS 15 – 22, BLOCK 92, AND LOTS 15 – 24, BLOCK 103**

FLOODPLAIN MANAGEMENT ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	VARIANCE
--	--------------------------	--------------------------	-----------------

401 Permitted Uses	Single Family Townhomes	Townhomes	None
402.01 Min. Structure Elevation	693 feet	693 feet	None
402.01 Min, Fill Height 15' from Structure	692 feet	692 feet	None
402.03 Fill Material	Fill Permitted to Elevate Structure	Fill to elevate structures	None
404.04 Erosion Control	Erosion Control Plan not required	Erosion Control Plan submitted	None

**STORMWATER MANAGEMENT ORDINANCE CRITERIA
TOWNHOME DEVELOPMENT
LOTS 15 –22, BLOCK 92, AND LOTS 15 –24, BLOCK 103**

ORDINANCE SECTION	REQUIRED CRITERIA	PROPOSED CRITERIA	VARIANCE
48-5(B) Exemptions	Plats after 6/9/1994	Platted 1/13/1873	Exempt from Stormwater Management Criteria

Ken Hartung stated, Mr. Moore has received a letter from the Army Corps of Engineers stating, Mr. Moore's Cluster Development is outside the jurisdiction of the Corps of Engineers. Therefore, he stated, a Department of the Army Permit is not required for this development proposal.

Ken Hartung also stated, Mr. Moore has received a letter from the Department of Natural Resources which states, "The Commissioner of Natural Resources hereby certifies the Cluster Development as complying with the intent of the National Wild and Scenic Rivers Act, the Federal and State Lower St. Croix River Acts, and the Master Plan adopted."

Ken Hartung stated, Mr. Moore also hired Mr. Patrick Conrad, Wetland Scientist with Hydrocon Environmental Consulting, to determine if Lots 15 – 22 of Block 92 were classified as a wetland. He stated, Mr. Conrad states in a letter, the material on this site does not meet any criteria specified in the Field Indicators of Hydrosols in the United States manual, and consequently is not classified as a wetland.

Ken Hartung stated, the City of Bayport's Planning Commission held a Public Hearing related to Pat Moore's townhouse proposal on Monday, February 14, 2000. He stated, following the Public Hearing, the Planning Commission adopted the following motions:

1. The Planning Commission unanimously adopted a motion to recommend that the City Council approve a Preliminary Plat Resubdivision request associated with Lots 15 – 22, Block 92, and Lots 15 – 24, Block 103, to permit the construction of six townhomes on Lots 15 – 22, Block 92.
2. The Planning Commission unanimously adopted a motion recommending that the City Council approve a Conditional Use Permit to allow construction of six residential townhomes on Lots 15 – 22, Block 92, and further finds that the proposal for the townhome development of said Lots conforms with the Conditional Use Permit criteria specified in Zoning Ordinance Section 505.01.
3. The Planning Commission unanimously adopted a motion recommending that the City Council approve a Variance from Zoning ordinance Section 601.01(5)(f)(4) granting a Lot Width Variance of 23 feet from the Zoning Ordinance-required lot width of 75 feet, permitting residential lots for the townhome development associated with Lots 15 – 22, Block 92, to be a minimum of 52 feet in width.
4. The Planning Commission unanimously adopted a motion recommending that the City Council deny vacating the west 30 feet of South 3rd Street adjacent to Lots 15 – 24, Block 103.

Jon Faraci, of Development Engineering, P.A., and Pat Moore, developer, introduced themselves to the City Council members. They indicated, they had nothing to add to the presentation made for the development proposal, unless councilmembers had specific questions for them.

Tom Geiger, 348 5th Avenue South, stated, Mr. Faraci's development has enough land to construct 9 residential units. He noted, at this time Mr. Faraci is requesting 6 units. He asked the City Councilmembers and City Administrator whether Mr. Faraci could come back and add three additional units at some later point in time.

Ken Hartung, City Administrator, stated, the Conditional Use Permit being considered tonight is for 6 townhome units. He noted, if Mr. Faraci wished to add additional units, it would require him to go through the Public Hearing and Conditional Use process to add additional units. He noted, the neighbors within 500' would have to be notified of the Public Hearing, and their input would be considered in a final decision related to a request for additional units.

Mr. Geiger also stated, he is concerned that the fill being brought in to elevate the townhome units to an elevation of 693 feet may cause additional flooding during spring flooding.

Councilmember Ridgway asked City staff and the Engineer to review the grade of the private road.

Ken Hartung, City Administrator, stated, the north section of the private road coming off of North 3rd Street is at the same elevation as North 3rd Street. He indicated, the south end of the private road has it meeting South 3rd Street at a 5% grade.

City Engineer Barry Peters stated, a 5% grade can be easily negotiated with a motor vehicle.

Moved by Councilmember Menard, seconded by Councilmember Newell, to close the Public Hearing related to the townhome proposal associated with Lots 15 – 22, Block 92.

Voting in favor: Councilmembers Newell, Menard, Schultz, Kosmo, and Ridgway.

Voting against: None.

Moved by Councilmember Newell, Seconded by Councilmember Menard, to approve a Final Plat Resubdivision to be known as Twin Homes of Bayport, associated with Lots 15 – 22, Block 92, and Lots 15 – 24, Block 103, to permit construction of six

townhomes on Lots 15 – 22, Block 92.

Voting in favor: Councilmembers Newell, Menard, Schultz, Kosmo, and Ridgway.

Voting against: None.

Moved by Councilmember Newell, seconded by Councilmember Kosmo, to approve Conditional Use Permit number 00-01 CUP, for Patrick Moore, for Lots 15 – 22, Block 92, and Lots 15 – 24, Block 103, and a 10-foot Vacation of 4th Avenue Block 103 (formerly South Stillwater), Bayport.

FINDINGS OF FACT:

WHEREAS: Patrick Moore is the owner of property described in the legal description of Lots 15 – 22, Block 92, and Lots 15 – 24, Block 103, and a 10 foot vacation of Fourth Avenue South (formerly South Stillwater), Bayport, which is Zoned R4 Single Family, Urban District, and;

WHEREAS: The land to the north, south, east and west is zoned R4 Single Family Urban District, and;

WHEREAS: Single family residential homes exist on the west, north and east side of the property, and;

WHEREAS: Multi-family apartment residential units are located on property south-southeast of the Pat Moore property, and;

WHEREAS: Zoning Ordinance Section 601.01(5)(e)(18) permits townhomes as a Conditional Use in the R4 Single Family Urban District, and;

WHEREAS: Zoning Ordinance Section 505.01 states, that the governing body may grant a Conditional Use Permit in any district provided the proposed use is designated in Section 6 of the City's Zoning Ordinance as a Conditional Use for the district and upon finding that:

1. Certain conditions as detailed in the Zoning Ordinance exist.
2. The use or development conforms to the Comprehensive Land Use Plan of the community.
3. The proposed use is compatible with the existing neighborhood.
4. The proposed use meets conditions or standards adopted by the

community not incorporated in this ordinance, and;

WHEREAS The Planning Commission held a Public Hearing related to a Conditional Use Permit Preliminary Plat Resubdivision for the 6 townhome development proposal for the legal description described above on February 14, 2000, and;

WHEREAS: Following the Public Hearing , the Planning Commission unanimously adopted the following motions:

1. Adopted a motion recommending the City Council approve a Preliminary Plat Resubdivision request associated with Lots 15 through 22, Block 92, and Lots 15 through 24, Block 103, to permit construction of 6 townhomes on Lots 15 through 22, Block 92.
2. Adopted a motion recommending the City Council approve a Conditional Use Permit to allow construction of 6 residential townhomes on Lots 15 through 22, Block 92, and further finds the proposal for the townhome development of said lots, meets the Conditional Use Permit criteria specified in Zoning Ordinance Section 505.01.
3. Recommended the City Council approve a variance from Zoning Ordinance Section 601.01(5)(f)(4) granting a lot width variance of 23 feet from the Zoning Ordinance required lot width of 75 feet permitting residential lots for the 6 townhome development associated with Lots 15 through 22, Block 92, to be a minimum of 52 feet win width, and;

WHEREAS: On March 6, 2000, at 7:00 PM the City Council held a Public Hearing related to an application for a Conditional Use Permit, Final Plat Resubdivision and Lot Width Variance for a 6 townhome development proposal for Lots 15 through 22, Block 92, and Lots 15 through 24, Block 103, and listened to all public comment made regarding the townhome development proposal, and;

WHEREAS: Following the Public Hearing, the City Council has determined that the construction of 6 residential townhomes on Lots 15 through 22, Block 92, meets the Conditional Use Permit criteria specified in Zoning Ordinance Section 505.01.

NOW THEREFOR BE IT RESOLVED: by the City Council of the City of Bayport, Washington County, Minnesota, does hereby ordain as follows:

1. Approve a Conditional Use Permit for a 6 townhome development proposal for said lots described in the legal description above in this document and that the City Council approves the Conditional Use Permit contingent upon the following:
 - A. The developer shall install City water to the 6 townhome development and that City water shall be installed as per the City Engineer's specifications and, furthermore, the developer shall pay all costs associated with the installation of City water to the townhome development.
 - B. The developer shall install City sewer to the 6 townhome development and that such sewer service shall be installed as per the City Engineer's specifications and, furthermore, the developer agrees to pay all costs associated with the sanitary sewer installation.
 - C. The developer agrees to enter into an agreement with the City of Bayport and such agreement specifies that the developer will pay for all improvements associated with the 6 townhome development.
 - D. The developer agrees to post a bond or letter of credit equal to an amount of 125% of the total cost of the improvements as estimated by the City Engineer.
 - E. The developer agrees to enter into an agreement with the City by which the developer grants the City a permanent storm water and drainage easement across Outlot A of Block 103 and across the west side of Block 92.

Voting in favor: Councilmembers Schultz, Kosmo, Menard, Ridgway and Newell.

Voting against: None.

Moved by Councilmember Newell, Seconded by Councilmember Menard, to approve a Variance Certificate Case Number 00-02V, for Patrick Moore, for Lots 15 through 22, Block 92, and Lots 15 through 24, Block 103, and a 10 foot vacation of Fourth Avenue, Block 103 (formerly South Stillwater), Bayport.

FINDINGS OF FACT:

WHEREAS: Patrick Moore is the owner of property identified with the legal description of for Lots 15 through 22, Block 92, and Lots 15 through 24, Block 103, and a 10 foot vacation of Fourth Avenue, Block 103 (formerly South Stillwater), Bayport, and;

WHEREAS: The property described in the legal description above is zoned R4 Single Family Urban District, and;

WHEREAS: The properties to the north, east, west and south of said legally described property are also zoned R4 Single Family Urban District, and;

WHEREAS: The average lot within the City of Bayport measures 50 feet in width by 140 feet in length, and;

WHEREAS: Mr. Moore is proposing to construct 6 townhome units on lots within the City of Bayport which have an average width of 52 feet and a depth of 140 feet, and;

WHEREAS: Mr. Moore's 6 townhome development proposal meets the front yard setbacks, the rear yard setbacks, the side yard setbacks and structure height requirements as set forth in the City's Zoning Ordinance, and;

WHEREAS: Mr. Moore's property was originally recorded at the Washington County Recorder's Office on January 13, 1873 as part of what was originally South Stillwater and now is the City of Bayport and the lot sizes at the time of the original plat were specified at 50 feet in width and 140 feet in length, and;

WHEREAS: Given the fact that Mr. Moore has been able to meet all setback and height requirements as specified in the Zoning Ordinance and since Mr. Moore's property was platted in 1873 with a lot width of 50 feet, the City Council of the City of Bayport has determined that Mr. Moore's lot width variance request meets the particular difficulty imposed upon the property criteria as specified in Zoning Ordinance Section 301(171).

NOW THEREFORE BE IT RESOLVED: By the City Council of the City of Bayport, Washington County, Minnesota, does hereby ordain as follows:

1. Grant a variance from Zoning Ordinance from Zoning Ordinance Section 601.01(5)(f)(4) granting a lot width variance of 23 feet from

the Zoning Ordinance required lot width of 75 feet permitting a lot width of 52 feet for residential lots for the 6 townhome development associated with Lots 1 through 6, Townhomes of Bayport.

Voting in favor: Councilmembers Schultz, Ridgway, Kosmo, Menard, and Newell.

Voting against: None.

Moved by Councilmember Newell, seconded by Councilmember Menard, to authorize the City Attorney to draft a development agreement between the City of Bayport and Pat Moore, for construction of the six townhome development proposal on Lots 15 – 22, Block 92, and furthermore authorize the Mayor and Administrator to sign said developer's agreement, provided that the City Attorney approves of the development agreement.

Voting in favor: Councilmembers Newell, Menard, Schultz, Ridgway, and Kosmo.

Voting against: None.

PETITIONS

Ken Hartung, City Administrator, stated, no petitions have been presented for this evening's Council Meeting.

CITY ATTORNEY

City Attorney Jim Lammers stated, he has nothing to add other than what is on the regular agenda.

CITY ENGINEER

Barry Peters stated, he has nothing at this point of the City Council Agenda.

DEPARTMENT HEADS

Ken Hartung stated, he had no reports from respective departments unless Councilmembers had specific questions of him.

COUNCIL LIAISON REPORTS

Library Board

Councilmember Newell highlighted the following items associated with the Library Board Meeting:

1. The Library is increasing its hours Mondays so that they will be open from 10:00 A.M. to 8:00 P.M.
2. The Library is offering Storytime on Tuesdays, at 10:00 A.M.
3. Wednesdays, from 1:00 P.M. to 3:00 P.M., the Library schedules an adult group discussion with coffee and cookies available.
4. The Bayport Library circulation is up 23% over last year's circulation, at this time in the year.

Plans are being made for Library Week, during April 9 through April 15.

Cable Commission Report

Councilmember Ridgway stated, the Cable Commission met at Bayport City Hall on February 16, 2000, at 7:30 P.M. She noted, they had their annual elections, which resulted in the following individuals being elected to Officer positions:

1. Jerry Turnquist, Chairman.
2. Sharon Ridgway, Vice Chair.
3. Gary Talbot, Secretary/Treasurer.

Sharon Ridgway summarized the highlights of the Cable Commission meeting with the following comments:

1. Cable Administrator Greg Piekarski will be putting together a newsletter to be circulated to participating cities.
2. The Cable Commission discussed setting aside more time for public meetings for local governments. The Cable Commission discussed allowing local governments to have a maximum of four meetings per

month broadcast on the Government Channel.

3. The Cable Commission is considering hiring freelance camera operators allow for greater coverage of high school events.
4. The Cable Commission is still negotiating with the Lower St. Croix Valley Cable Company regarding access fees.
5. The Cable Commission is considering covering the Washington County School Board meetings and the Washington County Board meetings.
6. The Cable Commission has decided that it will no longer keep copies of the recorded public meetings. The tapes will be returned to the respective local governments for reuse.

Councilmember Ridgway stated, the next Cable Commission meeting will be held on March 15, 2000, at 7:30 P.M. at Oak Park Heights City Hall.

OLD BUSINESS

Ken Hartung stated, no old business has been scheduled for this evening's meeting.

NEW BUSINESS

Discuss Approval of a Fire Contract for the City of Oak Park Heights, Baytown Township, and West Lakeland Township

Member Menard introduced the following resolution and moved its adoption:
RES. NO.00-21

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING AN AGREEMENT FOR THE CITY OF BAYPORT TO FURNISH FIRE
PROTECTION TO THE CITY OF OAK PARK HEIGHTS, WEST LAKELAND
TOWNSHIP, AND BAYTOWN TOWNSHIP.

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

Jim Menard – aye
Linda Newell – aye

Jim Kosmo – aye
Sharon Ridgway – aye

Allen Schultz – aye

Discuss adopting a Resolution Approving Weed Control and Fertilizer Services for the City of Bayport for the Years 2000 and 2001.

Councilmember Newell expressed concern about chemicals used on City property for control of weeds. She stated, she would like to see the City at least explore the option of doing weed control and fertilizer application every other year. Consequently, she stated. She will be voting against this proposal.

Member Menard introduced the following resolution and moved its adoption:
RES. NO.00-22

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, AUTHORIZING BROADLEAF WEED CONTROL AND FERTILIZER APPLICATION WORK TO BE COMPLETED ON THE CITY'S PUBLIC GROUNDS FOR THE YEARS OF 2000 AND 2001, BY TRUEGREEN/CHEMLAWN, VADNAIS HEIGHTS, MINNESOTA, FOR A COST NOT TO EXCEED \$4,136.00 PER YEAR.

Motion for adopting the foregoing resolution was duly seconded by member Ridgway, and upon roll call being taken thereon, the following voted via voice:

Jim Menard – aye
Linda Newell – nay
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Discuss adopting a Resolution Approving the 1999 Budget Revenue and Expenditure Adjustments, Transfers and Designations

Member Newell introduced the following resolution and moved its adoption:
RES.NO.00-23

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, AUTHORIZING 1999 BUDGET ADJUSTMENTS AND TRANSFERS.

The motion for adopting the foregoing resolution was duly seconded by Member Kosmo and upon roll being taken thereon, the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Member Kosmo introduced the following resolution and moved its adoption:
RES.NO.00-24

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE TRANSFER OF \$35,000.00 FROM THE CITY'S 1999 GENERAL
FUND, 101, TO THE CITY'S FIRE DEPARTMENT EQUIPMENT REPLACEMENT
FUND, 200, EFFECTIVE DECEMBER 31, 1999.

The motion for adopting the foregoing resolution was duly seconded by
Member Menard and upon roll being taken thereon the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Member Newell introduced the following resolution and moved its adoption:
RES.NO.00-25

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
TRANSFERRING \$25,000.00 FROM THE CITY'S 1999 GENERAL FUND, 101, TO
THE CITY'S PUBLIC WORKS EQUIPMENT REPLACEMENT FUND, 203, EFFECTIVE
DECEMBER 31, 1999.

The motion for adopting the foregoing resolution was duly seconded by
Member Kosmo and upon roll being taken thereon the following voter via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

**Discuss Adopting a Resolution Rejecting Bids for the 2000 Chevrolet Tahoe/GMC
Yukon Sport Utility Vehicle and Establishing a New Bid Date for Tuesday, March
28, 2000**

Member Kosmo introduced the following resolution and moved its adoption:
RES.NO.00-26

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
REJECTING BIDS FOR A 2000 CHEVROLET TAHOE/GMC YUKON SPORT UTILITY
VEHICLE AND APPROVING BID SPECIFICATIONS FOR A 1999 OR 2000

CHEVROLET TAHOE/GMC YUKON SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT AND ESTABLISHING A BID DATE FOR TUESDAY, MARCH 28, 2000, 10:00 A.M. CENTRAL STANDARD TIME.

The motion for adopting the foregoing resolution was duly seconded by Member Menard and upon roll being taken thereon the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Discuss Adopting a Resolution to Renew a Memorandum of Agreement for Provisions of an Individual Sewage Treatment System Management Program

Member Menard introduced the following resolution and its adoption:

RES.NO.00-27

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BAYPORT AND WASHINGTON COUNTY FOR A PROVISION OF AN INDIVIDUAL SEWAGE TREATMENT SYSTEM MANAGEMENT PROGRAM.

The motion for adopting the foregoing resolution was duly seconded by Member Newell and upon roll being taken thereon the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Discuss Establishing a Public Hearing to Consider Reconstructing a Portion of South Lakeside Drive

Member Kosmo introduced the following resolution and moved its adoption:

RES.NO.00-28

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, CANCELING THE PUBLIC HEARING FOR MONDAY, MARCH 6, 2000, IN THE BAYPORT CITY COUNCIL CHAMBERS, 294 NORTH 3RD STREET, 7:00 P.M. FOR THE PURPOSE OF CONSIDERING AUTHORIZING THE SOUTH LAKESIDE DRIVE BITUMINOUS PAVING PROJECT

The motion for adopting the foregoing resolution was duly seconded by Member Newell and upon roll being taken thereon the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

Member Kosmo introduced the following resolution and moved its adoption:

RES.NO.00-29

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, ESTABLISHING A PUBLIC HEARING FOR MONDAY, APRIL 3, 2000, BAYPORT CITY COUNCIL CHAMBERS, 294 NORTH 3RD STREET, 7:00 P.M. FOR THE PURPOSE OF CONSIDERING AUTHORIZING THE SOUTH LAKESIDE DRIVE BITUMINOUS PAVING RECONSTRUCTION PROJECT.

A motion for adopting the foregoing resolution was duly seconded by Member Newell and upon roll being taken thereon the following voted via voice:

Jim Menard – aye
Linda Newell – aye
Jim Kosmo – aye

Sharon Ridgway – aye
Allen Schultz – aye

BFI Recycling and Refuse Collection Agreement Ends September 30, 2000

Ken Hartung stated, the three year contact between the City of Bayport and BFI of North American, Inc., for residential recycling and refuse collection, ends on September 30, 2000. He noted that he met with Mike Stone, General Manager of BFI, and David Weidenfeller, Contract Manager for BFI, on Thursday, March 2, 2000, at 3:00 P.M. He noted that discussion centered around:

1. The quality of service provided by BFI;
2. Trash hauling and recycling fee structure, and how it compares with that of similar communities, and;
3. A proposal from BFI to extend the contract.

Ken Hartung indicated that he would like some direction from City Council this evening on how to proceed with this issue. He noted, there may be some merit in having staff acquire information from other communities regarding their recycling and

solid waste hauling fees, and comparing that with Bayport's.

Councilmember Kosmo stated, he has heard many compliments regarding BFI's service. Councilmember Kosmo stated, he is in favor of extending BFI's contract, provided the City Attorney finds it is consistent with Minnesota State law, and that Bayport's recycling and solid waste hauling fees are competitive with other communities.

The City Council directed City staff to acquire information from other communities, regarding their recycling and solid waste handling fees and comparing them with the City of Bayport's, and further directed staff to bring those results to the Council meeting of April 3rd, for Council review.

ADMINISTRATOR'S REPORT

Adult Entertainment Ordinance Public Hearing

Ken Hartung, City Administrator, stated, this is a courtesy reminder to Councilmembers and members of the public that the City Council will be holding a Public Hearing on Monday, April 3, 2000, at 7:00 P.M., for the purpose of considering adopting a Adult Entertainment ordinance.

Board of Review

Ken Hartung, City Administrator, stated, this is a courtesy reminded to Councilmembers of the Board of review scheduled for Thursday, April 6, 2000, at Bayport City Hall Council Chambers, from 5:30 P.M to 6:30 P.M.

ADJOURN

Moved by Councilmember Menard, seconded by Councilmember Kosmo, to adjourn the City Council Meeting of Monday, March 6, 2000.

Voting in favor: Councilmembers Menard, Schultz, Ridgway, Newell, and Kosmo.

Voting against: None.

The Regular City Council Meeting of March 6, 2000, was adjourned at 8:05 P.M.

Respectfully submitted,

