

CITY OF BAYPORT
BAYPORT CITY COUNCIL MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
JANUARY 2, 2001
7:00 P.M.

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Allen Schultz called the regular City Council Meeting of January 2, 2001 to order at 7:00 p.m. and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Allen Schultz, Councilmembers Jim Menard, Sharon Ridgway, Jim Kosmo and Councilmember-elect Jack Nyenhuis.

Members Absent: None.

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

OATH OF OFFICE

**Administer the Oath of Office
To Mayor-Elect Kosmo**

City Administrator Ken Hartung, administered the Oath of Office to Mayor-elect Jim Kosmo.

**Administer the Oath of Office
to Councilmember-Elect Jack Nyenhuis**

Mayor Jim Kosmo administered the Oath of Office to Councilmember-elect Jack Nyenhuis.

Appointment of a Councilmember

Mayor Jim Kosmo stated Councilmember Newell resigned her position from the Bayport City Council on November 1, 2000. He stated Councilmember Newell's resignation came too late to be included as a position for the November City Election. Consequently, the City Council will have to appoint a person from the community to fill out the remainder of Councilmember Newell's term which expires on December 31, 2002. He noted at the City Council Meeting of November 6, 2000, Councilmembers invited residents who had an interest in seeking appointment to the vacant Council position to submit a letter to the City by December 8, 2000. He indicated four residents submitted an application for the position. He noted persons who submitted applications were Sheryl Corrigan, Tim Gjerde, Allen Schultz and Rene' Stone. He indicated on December 18, 2000, the City Council held a workshop for the purpose of conducting

interviews with the candidates. He noted three of the candidates, Sheryl Corrigan, Allen Schultz and Rene' Stone attended the meeting. He noted Tim Gjerde did not attend. He stated following the interview with the candidates, the Council formed a sub-committee of Jack Nyenhuis and himself who were directed to make a recommendation to the City Council regarding the appointment of a citizen to the vacant position. He stated the City was blessed with several excellent candidates for the vacant City Council seat. He stated following the review of Council candidates at the December 18, 2000 meeting, it made the selection process even more difficult. However, he stated, when Al Schultz decided to give the City two more years, it was an offer we could not refuse. He noted Al has served the City tirelessly for three decades. His knowledge of the City, its people and its history, coupled with his undying commitment to community service makes him a valuable asset to the City Council. Therefore, he stated, the selection committee composed of Councilmember Jack Nyenhuis and himself, enthusiastically recommend Al Schultz to fill the vacant Council position.

Councilmember Ridgway introduced the following Resolution and moved its adoption:

RES. 01-01

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPOINTING ALLEN SCHULTZ TO THE VACANT COUNCIL SEAT.**

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

Jim Menard - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Jack Nyenhuis - aye

**Administer the Oath of Office to
Councilmember Appointee Allen Schultz**

Mayor Jim Kosmo administered the Oath of Office to Councilmember Allen Schultz.

RECESS

Mayor Jim Kosmo stated he is recessing the Council Meeting for five minutes to give an opportunity for family photos of the various elected Councilmembers. Mayor Kosmo recessed the meeting at 7:10 p.m.

RECONVENE CITY COUNCIL MEETING

Mayor Jim Kosmo reconvened the Meeting at 7:15 p.m. He stated he would like to make a brief statement.

Mayor Jim Kosmo stated, "I am extremely grateful for the opportunity to serve the people of Bayport. More than 20 years ago, Shelley and I merged two families with eight children - seven daughters and a son. They are all successful adults and to my great pleasure, most of them are here tonight along with the youngest of my seven grandchildren. If I could get them all to move to Bayport, getting elected would be a snap. Over and over again the people of Bayport have said they want to keep Bayport,

Bayport. To me that means we must first ensure that the City's small town, residential character is preserved. It is absolutely essential that we do not expend the City's limited financial and staff resources pursuing unnecessary or unattainable projects. However, this does not require the City to abandon orderly progress. We need to develop a very specific, cost-effective plan for community improvement. Later this month the City Council will meet in a workshop to establish the City's goals and objectives for the coming year. Each member of the City Council will present ideas and we welcome suggestions from all residents. During the Election, I presented an agenda for the City that was very well received. Among the areas I will ask the City Council to consider are the following:

- Continue to eliminate debt
- Control spending
- Continue building reserve funds
- Seek development of the Andersen West property
- LONG RANGE – reduce property taxes
- Ask the Minnesota Legislature for authority to reduce speed limits on narrow residential streets
- Consider installation of traffic control signs
- Find a landscape architects to design a traffic calming/street beautification proposal
- Upgrade City parks
- Create walking and biking trails
- Establish Bayport Youth Government Day
- Support a privately funded Bayport Scholarship Program"

CONSENT AGENDA

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-02

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS A, B, C, D, E AND F FROM THE JANUARY
2, 2001 COUNCIL AGENDA.

- A. Approve the minutes of the regular City Council Meeting of December 4, 2000.
- B. Approve the minutes of the Truth in Taxation Public Hearing Meeting and the Special City Council Meeting of December 12, 2000.
- C. Approve the minutes of the Special City Council Meeting and Council Workshop Minutes of December 18, 2000.
- D. Approve the bills as presented in the amount of \$216,883.55.
- E. Approve receipts as presented in the amount of \$1,225,117.73.
- F. Approve the building, plumbing and heating permits issued during the month of December, 2000.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

PUBLIC HEARINGS

Ken Hartung, City Administrator, stated no Public Hearings have been scheduled for this evening's meeting.

PETITIONS

Recognition of Retiring Fire Fighters

Mayor Jim Kosmo stated this evening the City of Bayport has the honor of recognizing three of its dedicated fire fighters who are retiring from the force after over 20 years of service. He indicated the fire fighters retiring are Charles Green with more than 23 years of service, Bill Johnson with more than 23 years of service, and Krage Vindal with more than 20 years of service. He stated the Bayport community and residents of the Lower St. Croix Valley owe a great deal of gratitude to these men for their many years of dedicated service. He stated as a small token of appreciation from the City Council and Bayport community, he would like to present each of the retiring fire fighters with a plaque recognizing each of them for their service to the community. Mayor Kosmo presented the plaques to Charles Green, Bill Johnson and Krage Vindal.

Report on the Water System Testing

Ken Hartung, City Administrator, stated the City of Bayport tests the City water a number of times during the year to ensure the water residents are drinking is safe. He noted the Minnesota Department of Health requires the City to submit a monthly water sample to test for the presence of coliform bacteria. He noted the presence of coliform bacteria in the City's water system could indicate a presence of bacteria which can cause gastrointestinal illness such as severe diarrhea, nausea and possible jaundice as well as headache and fatigue. He indicated during the month of November, because of a staff error, the City failed to submit its water sample for testing. Ken Hartung stated he apologizes to Bayport residents for the City's failure to conduct the November water test. He indicated as soon as the City became aware of the mistake on December 6, 2000, City staff took two samples of water which were tested at an independent laboratory. The water test results, he noted, showed no detection of coliform bacteria in the City's water. Additionally, he stated, he checked the past monthly water tests with the Minnesota Department of Health and noted those tests indicate there has never been a detection of the presence of coliform bacteria in the City's water system. He also stated the City takes the preventive measure of adding chlorine to the City's water to kill bacteria should bacteria be present in the City's water system. He indicated he and the

Public Works staff take very seriously the responsibility to provide Bayport residents with high quality, safe, reliable drinking water. Past tests, he noted, have shown the City's drinking water surpasses Federal and State standards. He stated he and the Public Works Supervisor have instituted new procedures which will ensure that this mistake does not happen again.

CITY ATTORNEY

City Attorney Jim Lammers stated he had nothing to add at this point in the agenda.

CITY ENGINEER

City Engineer Barry Peters stated he had nothing to add at this point in the agenda.

DEPARTMENT HEADS

Ken Hartung, City Administrator, stated he had no department head reports unless Councilmembers had specific questions.

COUNCIL LIAISON REPORTS

Joint Cable Commission Meeting

Councilmember Sharon Ridgway stated the Joint Cable Commission held its meeting on Wednesday, December 20, 2000 at Bayport City Hall at 7:00 p.m. She stated items discussed at the meeting were as follows:

- 1) Digital services now available.
- 2) The I Net has been hooked up at Stillwater High School and at the Recreational Center.
- 3) The Joint Cable Commission is working with the Lower St. Croix Valley Cable Commission on a user agreement.
- 4) The Cable Commission authorized a salary increase of 3% for Greg Piekarski.
- 5) The Joint Cable Commission authorized the institution of grants of up to \$300.00 to help fund innovative cable programs.

Councilmember Ridgway stated the next Cable Commission Meeting will be held on Wednesday, January 17, 2001 at Oak Park Heights at 7:00 p.m.

OLD BUSINESS

Ken Hartung stated there is no old business slated for this evening's meeting.

NEW BUSINESS

**Discuss Appointing a
City Attorney**

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-03

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

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Appointing a
Deputy Clerk**

Councilmember Schultz introduced the following Resolution and moved its adoption:
RES. 01-04

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE CITY ADMINISTRATOR TO APPOINT JOHN NASH AS DEPUTY
CLERK EFFECTIVE JANUARY 2, 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Approving the 2001
Appointment and Assignment Schedule**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-05

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING APPOINTMENTS AND ASSIGNMENTS FOR 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

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

Mayor Jim Kosmo opened discussion related to the appointment of citizens to the City's Commissions and Boards and asked the City Administrator to review the Commission and Board openings.

Ken Hartung stated the Planning Commission has two members whose terms expired on December 31, 2000. He noted members Jack Nyenhuis and Paul Vogel terms expired on December 31, 2000. He indicated Jack Nyenhuis is now on the City Council and consequently, will be leaving the Planning Commission. He noted Paul Vogel has indicated an interest in being appointed to the Planning Commission for a three-year term.

Councilmember Jim Menard stated there are two vacancies on the Planning Commission. He noted he would like to see Rene' Stone appointed as the second person to fill the Planning Commission vacancies.

Moved by Councilmember Schultz, seconded by Councilmember Ridgway, to appoint Paul Vogel, 314 North 4th Street and Rene' Stone, 368 South 5th Street to the Bayport Planning Commission effective January 1, 2001 through December 31, 2003.

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

Voting against: None.

Moved by Councilmember Schultz, seconded by Councilmember Ridgway to appoint Nancy Aderman, 524 S. Minnesota Street and Beth Hogberg, 296 South 6th Street, to the Bayport Library Board for a term to begin on January 1, 2001 and expire on December 31, 2003.

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

Voting against: None.

**Discuss the Appointment of
City Engineer**

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-06

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 CITY COUNCIL DETERMINES IT IS IN THE BEST
INTEREST OF THE CITY.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss the Appointment of
The City's Official Newspaper**

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-07

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPOINTING THE CITY'S OFFICIAL LEGAL PUBLICATION NEWSPAPER AND
MINUTES PUBLICATION NEWSPAPER.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Appointing an
Animal Impound Agency**

Member Menard introduced the following Resolution and moved its adoption:
RES. 01-08

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
DESIGNATED THE ST. CROIX ANIMAL SHELTER OF WOODBURY, MINNESOTA AS
THE CITY'S ANIMAL IMPOUND AGENCY FOR 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

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

Member Menard introduced the following Resolution and moved its adoption:

RES. 01-09

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE TRANSFER OF \$1,692.00 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, 2000.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Fire Station
Remodeling Options**

Ken Hartung stated at the September 5, 2000 City Council Meeting, the Council adopted a Resolution authorizing the purchase of a 100' ladder/pumper truck for the Bayport Fire Department. He indicated the same Council Letter reviewed modifications which would have to be made to the City's fire station to accommodate the new 100' ladder/pumper fire truck. He noted the modifications to the fire station are necessary to accommodate the 100' ladder/pumper truck and future fire equipment. Ken Hartung noted the fire department and he are looking at making improvements which will make the fire station functional for the next 10 – 15 years. He noted after that time it may be necessary for the City to construct a new fire station.

Ken Hartung stated at the City Council Meeting of December 12, 2000, the Council directed him to estimate the city's fund balance at the end of the year 2000. That estimation is based on projected expenditure expenses of various budget categories for the year of 2000 and projected revenue income for 2000. He noted staff's estimate at this point indicates the general fund expenditures will be under budget by approximately \$155,000.00 and revenue for the general fund will be over the adopted budget by approximately \$92,000.00. He noted this would leave an estimated fund balance at the end of the year 2000 of approximately \$247,000.00. He indicated, however, some of those funds would have to be designated for the City's fund balance based on the City's Resolution which establishes the City's required fund balance based on the year 2001 budget. He indicated, however, approximately \$180,000.00 to \$200,000.00 may be available to be used for improvements to the fire station.

He also indicated at the City Council Meeting of December 12, 2000, Council instructed staff to secure quotes from Short-Elliott-Hendrickson to prepare plans and

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specifications for remodeling options for the fire station. He noted Barry Peters of Short-Elliott-Hendrickson has provided the City with the following cost estimate associated with remodeling the fire station:

1) Preliminary report	\$11,700.00
2) Plans and Specifications	\$24,000.00
3) Bid Specifications	\$ 1,800.00
Total Cost	\$37,500.00

Ken Hartung stated the Short-Elliott-Hendrickson estimate of costs associated with the fire station remodeling is high. He noted Barry Peters indicated because there are no plans and specifications for the existing fire station, his firm is in uncharted territory and therefore, the estimates are high and are presented as a 'not to exceed' cost. Ken Hartung stated he is recommending the City Council proceed with authorizing Short-Elliott-Hendrickson to do the preliminary report. However, he indicated he would like to go out for alternate quotes for plans and specifications after the preliminary report has been prepared. He also indicated he is recommending the City Council authorize a Certificate of Survey be prepared for the City Hall and fire station property. He noted the City does not have a survey of the property and it is important the City have a survey completed so we know exactly where the property lines are and the locations of the buildings relative to the property lines. He stated he is recommending Barry Stack be hired to prepare a survey for a cost estimated at \$1,500.00 to \$2,000.00. He indicated there aren't any funds designated to pay for the preliminary study and for the Certificate of Survey preparation. However, he noted, the City will have a significant fund balance at the end of its fiscal year of 2000. He is asking the City Council to approve the preliminary study expense of \$11,700.00 and the survey expense of up to \$2,000.00 and that such expenses be designated from the year 2000 general fund balance.

Councilmember Menard stated that one of the areas that was mentioned at a Council Workshop when fire station remodeling was discussed was adding a brick façade onto the fire station.

Ken Hartung stated he will add figuring the cost of a brick front on the fire station to the preliminary report which Short-Elliott-Hendrickson is preparing. He asked Barry Peters of Short-Elliott-Hendrickson whether this would increase the preliminary report cost.

Barry Peters of Short-Elliott-Hendrickson stated figuring the cost for a brick front facade to the fire station will not increase the preliminary report estimated cost of \$11,700.00.

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-10

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING A CONTRACT WITH BARRY STACK OF STACK SURVEYING TO
COMPLETE A SURVEY OF THE CITY HALL AND FIRE STATION PROPERTY FOR A
COST NOT TO EXCEED \$2,000.00.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-11

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING SHORT-ELLIOTT-HENDRICKSON TO PREPARE A PRELIMINARY
REPORT ASSOCIATED WITH REMODELING THE FIRE STATION FOR A COST NOT
TO EXCEED \$11,700.00.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Approving the
Plans and Specifications for the
State Storm Sewer Project**

Mayor Jim Kosmo stated the year 2000 legislature adopted a law which allocated \$2.68 million to the City of Bayport for the Middle St. Croix River Watershed Management Organization to construct a State Storm Sewer Project extending from the Minnesota Department of Natural Resource Pond 82-310P (Prison Pond) in Oak Park Heights through the Stillwater Prison Grounds to the St. Croix River.

Ken Hartung stated the City of Bayport and the Middle St. Croix River Watershed Management Organization adopted Resolutions and Agreements designed to facilitate the City of Bayport acting as the fiduciary agent and project manager for the State Storm Sewer Project. As a consequence of those Resolutions, he stated, the City of Bayport is the project manager and the fiduciary agent for the State Storm Sewer Project to begin this year. He stated at the City Council Meeting of August 2, 2000, the Council adopted Resolution 00-80 approving an agreement between the City of Bayport and Short-Elliott-Hendrickson to complete the plans and specifications associated with the State of Minnesota Storm Sewer Project. He noted Jeff Davis of Short-Elliott-Hendrickson, the lead project manager on the State Storm Sewer Project is here this evening to present the plans and specifications associated with the State Storm Sewer Project.

Jeff Davis reviewed with Councilmembers the following aspects of the plans and specifications for the State Storm Sewer Project:

- 1) Overall State Storms Sewer Project Design

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- A) Reviewed the existing State Storm Sewer constructed in 1907. He also discussed areas in which the Storm Sewer has failed.
- B) Reviewed alternate routes with the Council for the newly constructed Storm Sewer.

2) Proposed Project

- A) The newly constructed Storm Sewer Project will be a closed conduit from the prison pond to the river to minimize and prevent freeze up in Perro Creek.
- B) Phase 1 of the project will consist of constructing the Storm Sewer from the St. Croix River to the Minnesota Correctional Facility.
- C) Phase 2 of the project will consist of constructing a Storm Sewer from the Minnesota Correctional Facility to the Minnesota Department of Natural Resources' Prison Pond.
- D) Phase 2 also includes abandoning the existing Storm Sewer from the Prison to the St. Croix River.
- E) Breaking the State Storm Sewer Project into two phases allows the City of Bayport, on behalf of the Middle St. Croix River Watershed Management Organization, to go back to the legislature for additional funding if it is required to complete phase 2 of the project.
- F) The bid date for the project has been established as Tuesday, February 6, 2001.
- G) Washington County plans to reconstruct County Road 21 and County Road 28 in 2002 and 2003. This fits within the time frame of the second phase of the Storm Sewer Project which would be constructed in the County Road's right-of-way.
- H) Short-Elliott-Hendrickson has been working with the Minnesota Department of Transportation and Washington County to obtain the necessary permits and construct detour plans associated with construction of the State Storm Sewer project.
- I) The Andersen Corporation and the Allen King Plant railroad access will be shut down for 5 days to permit open cutting of the railroad line for pipe installation.
- J) Point Road residents will have continuous access from Highway 95 to their residential property with the construction of a bypass road.

3) Environmental Aspects

- A) Water quality testing is required by the Minnesota Pollution Control Agency in the years 2000, 2001 and 2002 of the NSP slag pond area. The Minnesota Pollution Control Agency requires testing for contaminants because the NSP slag pond area will allow water from the prison pond to drain into the NSP slag pond and continue on into the storm sewer and into the St. Croix River.

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- B) A Phase 1 environmental site assessment has been completed by Short-Elliott-Hendrickson related to the State Storm Sewer project.
 - C) Permits have been applied for from the Minnesota Department of Natural Resources, the U.S. Army Corps of Engineers and the Middle St. Croix River Watershed Management Organization to permit construction of the State Storm Sewer.
- 4) Property acquisition
- A) Stack Land Surveying has completed about 80% of the field work required for describing the properties for which the City will need a temporary or permanent construction easement.
 - B) Jim Lammers, City Attorney, has been working on property acquisition with Stack Land Surveying.
 - C) The project includes vacating the right-of-way across the east side of the Andersen property. The right-of-way was designated for construction of 10th Avenue to the Point area. Unfortunately, during the construction process in the 1960's, 10th Street was constructed outside of the right-of-way area. Consequently, it will be necessary to establish a new right-of-way which accurately describes the position of the road and vacating the existing right-of-way which is on private property and not in the area within which 10th Street was constructed.
 - D) Short-Elliott-Hendrickson will continue to work in conjunction with Washington County Public Works to ensure we have adequate right-of-way and access to construct the 2nd phase of the State Storm Sewer Project.
- 5) Cost estimate
- A) The preliminary estimate of construction cost is \$2,530,235.00. This does not include engineering costs. The cost of the total project including engineering, administrative, legal, etc. was estimated at \$3.8 million.
 - B) Jeff Davis stated he would be reviewing the original bid documents with a consultant to double check to make sure it includes the necessary information.

Jim Kosmo asked if exiting the Storm Sewer drainage into the St. Croix River is creating an environmental issue.

Jeff Davis, Short-Elliott-Hendrickson, stated the Engineers and the City have been in constant contact with the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency and the U.S. Corps of Engineers. He noted none of the agencies have indicated any problem with the proposed project.

Mayor Jim Kosmo stated he would like to see the project raising Point Road as much as possible to minimize flooding of the road during times when the St. Croix River is excessively high. He indicated he understands there may be some drainage problems, but wants to make sure the Engineer explores the options associated with raising Point Road.

Councilmember Schultz introduced the following Resolution and moved its adoption:
RES. 01-12

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING THE PLANS AND SPECIFICATIONS FOR THE STATE OF MINNESOTA
STORM SEWER PROJECT AND SETTING A BID DATE FOR TUESDAY, FEBRUARY
6, 2001 AT 2:00 P.M. CST.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution
Approving the City of Bayport State Mandated
Pay Equity Implementation Report**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-13

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING THE PAY EQUITY IMPLEMENTATION REPORT DATED JANUARY 2,
2001 AS REQUIRED BY THE STATE OF MINNESOTA AND AUTHORIZING THE
MAYOR TO SIGN THE REPORT ON BEHALF OF THE CITY AND AUTHORIZING ITS
SUBMISSION TO THE MINNESOTA DEPARTMENT OF EMPLOYEE RELATIONS.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss A Request by People's
Congregational Church Youth Group
To use the Hockey Rink on January 14, 2001**

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to
authorize People's Congregational Church Youth Group use of the City's hockey rink for
broomball activities on Sunday, January 14, 2001 from 6:00 p.m. to 8:30 p.m.

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

Voting against: None.

ADMINISTRATOR'S REPORT

Establish January Council Workshop

Moved by Councilmember Menard, seconded by Councilmember Schultz, to establish a City Council Workshop for Monday, January 22, 2001 at 7:00 p.m., Bayport City Hall Council Chambers and that the following items shall be included on the agenda:

- 1) Discuss Fire Department Goals for the year 2001.
- 2) Discuss Liquor License Fees to be initiated in the year 2002.
- 3) Establish the City Administrator's work tasks for 2001.

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

Voting against: None.

St. Croix Valley Mites Hockey Association Request

Ken Hartung stated he has received a request from Bill Deffiel with the St. Croix Valley Mites Hockey Association. He stated the St. Croix Valley Mites Hockey Association has 15 children ages 7 and 8 who would like to have a regular practice time established on the outdoor hockey rink at Bayport Perro Park. He noted the Mites Hockey Association has 4 adult coaches who would be on site during practice. He noted Mr. Deffiel is requesting the City designate ice skating time on Tuesdays, beginning on January 9 and running through February 27, 2001 from 6:00 p.m. to 7:30 p.m. on the City's Perro Park hockey rink.

Moved by Councilmember Schultz, seconded by Councilmember Menard, to authorize the use of the City of Bayport's Perro Park hockey rink by St. Croix Valley Mites Hockey Association every Tuesday of the week beginning on Tuesday, January 9, 2001 through Tuesday, February 27, 2001 from 6:00 p.m. to 7:30 p.m.

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

Voting against: None.

CITY ADMINISTRATOR'S VACATION

Ken Hartung stated he is considering going on vacation from Tuesday, May 15, 2001 through Saturday, May 26, 2001 or through Tuesday, May 29, 2001. He asked Councilmembers if anyone had any concerns with his being on vacation during that time slot.

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January 2, 2001

Councilmembers expressed no concerns about the Administrator taking vacation during that time.

Ken Hartung stated he would also be checking with the City's Engineer to determine if the designated vacation time would create a conflict with City projects.

ADJOURN

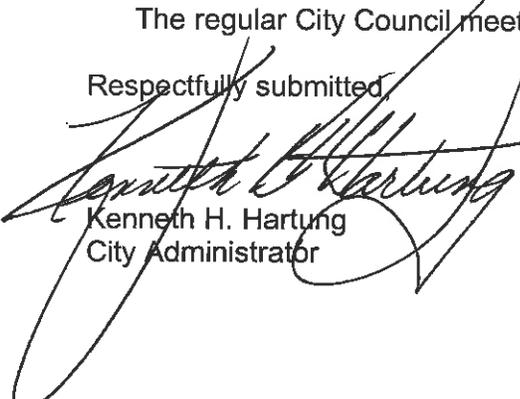
Moved by Councilmember Menard, seconded by Councilmember Schultz, to adjourn the City Council meeting of January 2, 2001.

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

Voting against: None.

The regular City Council meeting of January 2, 2001 was adjourned at 8:39 p.m.

Respectfully submitted,



Kenneth H. Hartung
City Administrator

CITY OF BAYPORT
BAYPORT CITY COUNCIL WORKSHOP MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
JANUARY 22, 2001
7:00 P.M.

CALL TO ORDER

Mayor Jim Kosmo called the Bayport City Council Workshop to order at 7:00 p.m. and asked the City Administrator to call roll.

ROLL CALL

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

Members Absent: None.

Others Present: Ken Hartung, City Administrator; Brad Carmichael, Fire Chief.

**DISCUSS THE FIRE SERVICE
CONTRACT FEES FOR 2001 AND 2002**

City Administrator Ken Hartung explained the fire contract fair share formula, which is used to determine the cost of providing fire service to the communities of Bayport, Oak Park Heights, Baytown Township and West Lakeland Township. He indicated 50% of the participating communities contribution to the City of Bayport's cost for providing fire protection is determined by the tax capacity value of each community. He noted the other 50% of the cost share formula is based on the number of fire and rescue runs made to the participating communities. Ken Hartung stated for the years of 1999 and 2000, the City of Bayport maintained the same fee structure for its participating communities of Oak Park Heights, Baytown Township and West Lakeland Township. He noted those costs were based on a fire department budget of \$190,000.00. He indicated the fair share formula for 1999 and 2000 established the following rates for participating communities:

1) Bayport	\$ 59,185.00
2) Oak Park Heights	\$ 78,090.00
3) Baytown Township	\$ 19,950.00
4) West Lakeland Township	\$ <u>32,775.00</u>
Total	\$190,000.00

He noted when calculating the year 2001 fair share formula, it should be noted that the City of Bayport's tax capacity decreased dramatically. He indicated it went from \$3,663,211.00 to \$1,919,718.00. He noted that was a tax capacity value decrease of \$1,743,493.00. He noted the decrease in tax capacity value is related to the Andersen Corporation's market value reduction on their building at 100 4th Avenue North from a value of \$40,000,000.00 to \$10,000,000.00. He indicated at the same time, West Lakeland Township's tax capacity value went up approximately \$1,000,000.00 from \$2,7

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million to \$3.8 million. He indicated the combination of the City of Bayport's tax capacity value reducing significantly and an increase in West Lakeland Township's tax capacity, resulted in an increase in West Lakeland Township's cost allocation on the fair share formula from \$32,775.00 in the year 2000 to a projected contribution of \$44,578.00 in 2001. He noted that is a significant increase. He indicated he received a call from the West Lakeland Township Clerk in September of last year inquiring what the City of Bayport believed would be the fire contract rates for West Lakeland Township in the year 2001. He noted at that time, the City had not revised its fair share formula and consequently, he indicated West Lakeland Township rates would probably stay the same at \$32,775.00. He indicated West Lakeland Township's Board established their budget for 2001 using that information. Consequently, he stated, it may be difficult for the City to expect West Lakeland Township to pay a 2001 fire contract fee of \$44,578.00 because their budget identified \$32,775.00 as their fire contract contribution. Additionally, he noted Bayport's financial contribution toward fire service was significantly reduced because of the Andersen Corporation's property value reduction. He indicated the tax capacity portion of the formula was only designed to reflect the cost to each participating community for the fire department protecting the amount of residential and business structures within a given community. He indicated while the Andersen Corporation received a significant tax reduction on their property, the number of buildings which require fire protection has not been reduced. Consequently, he indicated, to be fair to the other communities, Bayport may want to maintain its tax capacity value of \$3,663,211.00 rather than the reduced tax capacity of \$1,919,718.00.

Mayor Kosmo indicated he is somewhat surprised by the dramatic increase in number of fire runs from the fair share formula sheet for the years of 1999 and 2000 compared to the number of runs reflected on the year 2002 sheet.

Fire Chief Brad Carmichael stated the number of runs associated with the fire department have increased over the years. He indicated one reason for the increase is that the fire department rescue team had not been asked to respond to Class C and D incidences prior to 1998. He stated the fire department is now required to respond to those calls which has significantly increased the number of medical runs. Additionally, he indicated in the year 2000 the fire department responded to 45 fires of which 13 were structure fires.

The City Council instructed the City Administrator to prepare a year 2001 fair share formula using the cost allocation rates which had been used for the years of 1999 and 2000. Those rates include the following cost allocation for each of the respective communities:

1) Bayport	\$59,185.00
2) Oak Park Heights	\$78,090.00
3) Baytown Township	\$19,950.00
4) West Lakeland Township	\$32,775.00

The City Council instructed the City Administrator to place approval of the fire contracts for Oak Park Heights, Baytown Township and West Lakeland Township using the above cited figures to the City Council Meeting of February 5, 2001 for Council review and approval.

The City Council also instructed the City Administrator to prepare a fair share formula for the year 2002 using year 2000 tax capacity values for the participating communities except that Bayport's tax capacity value shall be established at its original tax capacity value before the Andersen property tax reduction at \$3,663,211.00. Additionally, the Council instructed the City Administrator to determine the average annual fire and rescue runs for the 2002 fair share formula using fire and rescue run numbers from 1998, 1999 and 2000.

Ken Hartung stated based on those numbers, the fair share contribution for the cities in the year 2002 using a fire department budget of \$210,000.00 are as follows:

1) Bayport	\$59,922.00
2) Oak Park Heights	\$85,804.00
3) Baytown Township	\$20,198.00
4) West Lakeland Township	\$44,076.00

Discuss Fire Department Goals for 2001

Fire Chief Brad Carmichael stated in the year 2000, the City's fire department saw the retirement of three long-time firefighters. He noted the retiring firefighters were Charles Green, 23 years of experience; Bill Johnson, 23 years of experience; and Krage Vindal, 20 years of experience. He indicated the fire department currently has a Deputy Chief, Scott Radke. He noted he is asking the City Council to consider appointing Mike Bell as Assistant Fire Chief, who will be charged with the responsibility of public safety officer to coordinate and execute public safety information to the Boy Scouts, Girl Scouts, schools and other organizations. He noted Mr. Bell will also work closely with Deputy Chief Scott Radke and he on coordination of fire department activities.

Brad Carmichael indicated Steve Buege is the training officer and fire department captains are Rick Bastyr, Matt Bell and Jeff Haefman. He indicated in the year 2000, the fire department accomplished the following projects and functions:

- 1) Participated with Washington County emergency and project impact.
- 2) Installed the OSHA required fire department ventilation system.
- 3) Installed an emergency generator and automatic transfer switch.
- 4) Installed a monitored building sprinkler system.
- 5) Expanded the fire department's fire inspection and lock box program.
- 6) Increased the Relief Association retirement payment to \$4,750.00 per year.
- 7) Trained 23 firefighters in confined space rescue.
- 8) Purchased five new Monitor III firefighter pagers.
- 9) Updated the fire truck and portable radios equipment for safer communication.
- 10) Reduced the City of Bayport's ISO rating from a rating of 6 to 4.
- 11) Reduced Oak Park Heights' ISO rating from a rating of 6 to 5.
- 12) Retrofitted the fire department's pumper 2102 with a Class A foam system.
- 13) Purchased and received a new pumper/tanker fire truck.
- 14) Purchased a 100' platform ladder/pumper truck scheduled for delivery in May 2001.
- 15) Attended several public related functions including the County Fair, daycare facilities, National Night Out, nursing homes and Safety Camp.

Brad Carmichael indicated in the year 2000, the fire department took part in 1,795 training hours which included monthly drills, sectional schools and mutual aid training

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drills. He stated last year the fire department focused on confined space training. He indicated the number of fire and rescue calls over the past years has increased dramatically. He noted the following statistics for Councilmembers:

- | | |
|-------------------------------------|-----|
| 1) 1998 total fire and rescue calls | 266 |
| 2) 1999 total fire and rescue calls | 355 |
| 3) 2000 total fire and rescue calls | 434 |

He indicated the 2000 fire report summary included the following types of fires:

Description	Number	Percentage
Fire/Explosion	45	10%
Overpressure/Rupture	9	2%
Medical Calls	266	61%
Hazardous Conditions	53	12%
Service Calls	13	3%
Good Intent Calls	41	9%
False Calls	11	3%

Brad Carmichael indicated in the year 2000, the fire department responded to 45 fires, of which 13 were structural fires. He indicated the estimate dollar lost in the year 2000 was \$721,200.00. He noted there was one fatality associated with the structure fires.

Brad Carmichael outlined the following items as goals for the fire department in the year 2001:

**Year 2001 Fire Department
Goals and Projects**

Goal or Project Description	Cost
1. Investigate the need for a training tower	\$200,000.00
2. Investigate the need for purchase of an infra-red camera	\$ 18,000.00
3. Acquire confined space equipment	\$ 3,550.00
4. Purchase a 14' Zodiac rescue boat	\$ 13,000.00
5. Purchase a digital camera	\$ 500.00
6. Start an informational website	\$ 480.00
7. Purchase a new computer	\$ 1,400.00
8. Implement a new hiring policy which includes a physical ability assessment	
9. Implement an address program for rural service areas	
10. Continue with mutual aid and shared resource contracts	

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11. Continue to study the need for a second fire station in Oak Park Heights
12. Continue to work with Oak Park Heights on Opti-con system at intersections.
13. Pursue a fire sprinkler program for all multi-family dwellings.
14. Work on remodeling fire hall options.

Brad Carmichael stated the City must consider remodeling the existing fire hall or replacing it in order to be able to accommodate future fire equipment which is being constructed with heights which exceed the capability of the City's existing fire hall. He noted the options for fire hall remodeling or replacement are as follows:

Fire Hall Remodeling Option Description	Cost
Lower the single bay by 6" and modify one garage door	\$ 45,000.00
Lower three bays 12" and modify three doors	\$ 250,000.00
Lower four bays 12" and modify all doors	\$ 300,000.00
Modify one bay to fit the ladder truck	\$ 45,000.00
Build a new fire station	\$2,500,000.00

Brad Carmichael stated the new 100' ladder truck will be arriving on May 1, 2001. Some retrofitting has to be done to the existing fire hall to accommodate the new ladder truck. He noted all the options the fire department has looked at make it difficult to accommodate the new 100' ladder truck and the existing fire equipment without spending a significant amount of money. He noted that the option to be able to accommodate the existing and future fire equipment may be to build a new fire hall in the year 2003. He indicated one location for the fire hall would be the northwest corner of Barker's Alps.

Councilmember Jim Menard stated there might be some merit for the City to consider constructing a new fire hall rather than putting a considerable amount of money into the existing old fire station.

Councilmember Nyenhuis stated before the City elects to construct a new fire station, we need to know more about what Oak Park Heights' plans are related to a sub-station. He noted if Oak Park Heights constructs a sub-station, that may take one or two pieces of our existing fire equipment out of Bayport's fire station which would alleviate the crowded fire equipment in Bayport's fire station.

Mayor Jim Kosmo stated at this point he is not ready to endorse constructing a new fire station. He stated the City has spent a considerable amount of money within the fire department and public works department in 2000 and 2001. He indicated there are other projects which have a higher priority with the City Council, including installing sewer and water and constructing a new street on Lakeside Drive. Additionally, he indicated if Oak Park Heights constructs a sub-station, that may eliminate the crowded conditions in Bayport's fire station. He stated the City Council needs more time to look at the alternatives associated with remodeling Bayport's fire hall to accommodate new equipment.

Ken Hartung, City Administrator, stated Barry Peters with S.E.H. will complete a feasibility for fire station remodeling in time for review by the City Council at its February 5, 2001 meeting.

Councilmember Jack Nyenhuis stated this is a huge decision and the City Council needs additional time and additional information before a decision can be made.

Councilmembers directed the City Administrator and Fire Chief to explore the option of modifying the first bay to fit the ladder truck and present that option along with the City Engineer's feasibility study at the February 5, 2001 Council Meeting.

DISCUSS LIQUOR LICENSE FEES FOR 2002

Mayor Jim Kosmo stated the City Council, at its November Council Meeting, indicated they would like to discuss the City of Bayport's liquor license fees at a workshop. He noted the Council discussed this issue last year at a City Council Workshop. He indicated at that time, the City sent out notices to all of the liquor license holders informing them of City Council discussions. He indicated he has asked staff to review with Councilmembers, liquor license fees for the City of Bayport and similar sized communities this evening.

Councilmember Jack Nyenhuis stated he looked at the liquor license fee structure. He indicated throwing out the communities which have high populations and those which have very low populations, he came out with an average of \$1,800.00 for liquor license fees within those cities.

Jim Kosmo stated he calculated the fees for the City of Bayport with a slightly different method. He indicated he believes a fair liquor license fee in the City of Bayport would be \$2,500.00. However, he suggested phasing in those fees over a three-year period. He indicated he would like to see the fees established in 2002 at \$1,500.00, 2003 at \$2,000.00 and 2004 at \$2,500.00. He also indicated he would like to see a wine license established at a \$500.00 fee.

There was a consensus among Councilmembers that the City Council should consider Mayor Kosmo's proposal at a future Council Meeting.

Ken Hartung stated state law requires the City to mail out notice to all liquor license holders in the City of Bayport 30 days prior to the City Council holding a Public Hearing to consider changing the liquor license fees for the year of 2000. He stated this item could be placed on the March, April or May Council Agenda.

Councilmembers instructed the City Administrator to place it on the Council Agenda for either March, April or May.

DISCUSS CITY ADMINISTRATOR'S GOALS AND OBJECTIVES FOR 2001

Mayor Jim Kosmo stated at the beginning of each year, the City Council establishes the work goals and objectives for the City Administrator for the next year. He noted work

goals are an extremely effective to help the City Administrator and staff members focus on critical issues the Council wishes to address and complete during the year 2001.

Using the nominal group brainstorming technique, the City Council identified a number of projects and/or issues for the City Administrator to work on in the year 2001. The projects are not listed in order of importance, but listed only in the order Councilmembers presented them. The projects and/or issues identified by Councilmembers are the following:

1) Implement and enhance communication program.

The City should implement a City to Citizens communication plan which would include at a minimum, the following:

A) Newspaper publications

- Official notices as required
- Council Meeting Minutes (question necessity and effectiveness)

B) Quarterly newsletter which would include some of the following:

- i) Message from the Mayor/City Administrator
- ii) Schedule of upcoming meetings
- iii) List of all pertinent telephone numbers and personnel
- iv) Profile of Councilmembers
- v) Feature City Employees, Police, Firefighters, Public Works and Administrative Staff
- vi) Fiscal news
- vii) City projects such as new fire trucks, public works equipment, storm sewer
- viii) New construction and/or remodeling happening within the City
- ix) Recycling info and awards
- x) Feature a business or facility in the City such as Post Office, Marina, Bayport Printing, First State Bank of Bayport, etc.
- xi) Membership of Commissions and Boards

C) Annual Town Meeting (with cookies/coffee/juice)

- i) Hosted by the Mayor
- ii) Held in the fall
- iii) Review the City's year highlights and plans for the upcoming year
- iv) Solicit input from citizens

D) Signage

- i) A new lighted events sign at City Hall replacing the existing sign
- ii) Publicize current events and meetings on the sign

E) City website

- i) The 21st Century communication media
- ii) Content would include much of the same as the newsletter

- iii) Links to other sites, such as Chamber of Commerce, local businesses, County and State Offices

2) Hockey rink

Remove the existing hockey rink sides and install a concrete base for the entire hockey rink section. Install new sides along the entire perimeter of the hockey rink. Install a fire hydrant near the pleasure and hockey rinks to facilitate on-site flooding of the rinks in the wintertime.

3) Prison Storm Sewer Project

The City Administrator is to coordinate the engineering, easement acquisition and construction associated with the prison storm sewer construction project.

The City Administrator is to coordinate the effort at the Minnesota State Legislature to secure \$904,000.00 for Phase 2 of the Prison Storm Sewer Project.

4) South Lakeside Drive development

The City Administrator is to monitor the development activities at the end of South Lakeside Drive which includes the former McLuckie and Hubb's Point property.

5) Development of the Andersen West property.

The City Administrator is to work with the Mayor and the Andersen Corporation to bring about development of the Andersen West property.

6) Fire Department

The City Administrator is to work with the fire department and City Council to develop a long-range plan for the fire department. The plan will need to address the following items:

- A) Does the existing fire station need to be remodeled? If so, what would the remodeling plan include? What would its cost be? How would it be financed? When must the remodeling be completed?
- B) Does Bayport need to build a new fire station? If so, determine its location, the design of the building, its cost, how it would be financed and when it would need to be constructed.
- C) Outline the replacement schedule for the City's existing fire equipment, identifying the cost of replacing the equipment and identifying financing sources.

7) Establish a Community Development Organization (Economic Development Authority EDA)

The City Administrator is to work with the City Council to determine if it is in the best interest of the City to form an economic development authority. The City Council would need to determine whether an economic development authority would be able

to more effectively deal with issues such as Andersen developing their industrial zoned 245 acre property, senior housing, retail business issues, general housing renewal, the enhancement of Highway 95 and the development of parks and trails.

Leadership on this issue will have to come from the City Council because it would require the City Council to establish an economic development authority. Before the City Council makes such a decision, there may be some merit for Councilmembers to bring in consultants or City Administrators from cities which have economic development authorities to talk about its purpose and function to see if it fits the goals the City Council has for the City of Bayport.

8) Coordinate an effort to investigate traffic calming pedestrian safety program

Investigate the feasibility of hiring a landscape architect to study methods to improve Highway 95 for pedestrian safety. This may include landscaping and the beautification program designed to present a calming effect.

Investigate the feasibility of reducing speed limits through the City of Bayport.

9) South Lake Street sewer, water and street reconstruction

Coordinate a feasibility study on South Lake Street for the installation of sewer and water to residential structures which do not have sewer and water on South Lake Street. The feasibility study should also include the installation of a new street with curb and gutter. The road should be constructed at a minimum elevation of 691' wherever possible.

The feasibility study should also include the City providing sewer and water to the Girl Scout house and the City's park beach house.

10) Maintain financial stability.

Advise the City Council on how to continue to maintain the financial stability of the City. Implement strategies which will continue to reduce the City's debt. Present strategies for financing new projects which pay the project costs with cash on hand.

11) Establish Bayport Youth Government Day

Work with Mayor Jim Kosmo to establish and implement a Youth Government Day. This activity is to be coordinated with the Bayport Elementary School.

12) Review the City's Assessment Policy

Review, with City Councilmembers, the City's present assessment policy which was adopted in 1991. Present to the City Council other assessment policy options. Based on a review of the present assessment policy and other options for assessment policies, the Council will decide whether to maintain its existing assessment policy or implement changes.

13) Pump House facelift

Coordinate with the Public Works Supervisor, a program which will improve the appearance of the pump houses. Staff will, however, need to have more specific direction from the City Council on exactly what is implied by a pump house facelift. Does this mean improving just the exterior appearance of the pump house? Or is the Council interested in evaluating the usefulness of the pump house structures as they exist and contemplating the possibility of replacing the existing structures with a space which will be more useful for the Public Works staff in terms of housing water treatment chemicals and pump house mechanical equipment?

This item will need to be on a City Council Workshop for further discussion before staff can move forward on this issue.

14) Emergency plan for government operation

Develop and implement an emergency plan for government operation. The plan should focus on the City's administration and police operations should something happen to the building which would make the building unusable for the day to day operations of the City.

15) Auction off first 10 dog licenses

Coordinate an auction of the first 10 dog licenses in an effort to raise additional money for the City. There are a number of residents within the City who would like to have the first few numbers of dog licenses and would probably pay a premium price for it.

16) Business day meeting

Coordinate with the Mayor and City Council, a City business meeting event. Preferably plan the meeting during the evening and focus on areas of interest for local businessmen. The City Administrator should meet with the Mayor and another member of the City Council to lay out the format for the meeting.

17) Planning and Zoning Committee appreciation

Work with the Mayor and/or a member of the City Council to host a Planning and Zoning Commission appreciation activity.

18) Cemetery policy

Work with City staff to review the existing Hazelwood Cemetery policy. Present revisions to the Hazelwood Cemetery policy to the City Council at a workshop. The City Council will take action on the Hazelwood Cemetery policy revisions at a regular City Council meeting. The City Administrator and staff are responsible for implementing any changes to the Hazelwood Cemetery policy.

19) Restrooms at Barker's Alps

Study the feasibility of locating permanent restroom facilities at Barker's Alps. Present the cost analysis of locating restrooms at Barker's Alps to the City Council for their review. This would require extending City sewer and water to the interior of Barker's Alps.

20) Drudging at the 4th Avenue North boat ramp

Secure quotes for a drudging operation at the 4th Avenue North boat ramp. The boat ramp approach has a large formation of rocks approximately 40 – 50 feet out from the ramp which is resulting in significant damage to large boats when they are launched in the river and removed from the river. Secure quotes from private companies to perform the drudging operation and present the quotes to the City Council to determine if funding is available.

City Council Ranking
 Of the City Administrator's
 Goals and Objectives
 For 2001

Following a listing of the City Council identified City Administrator's goals, projects and objectives for the year 2001, the City Council ranked each of the identified items to determine their priority. The City Council's priority for the City Administrator for 2001 are as follows:

Issue Priority	Issue Number	Number of Votes	Description
1	3	4	<p>Prison Storm Sewer Project</p> <p>The City Administrator is to coordinate the engineering, easement acquisition and construction associated with the prison storm sewer construction project.</p> <p>The City Administrator is to coordinate the effort at the Minnesota State Legislature to secure \$904,000.00 for Phase 2 of the Prison Storm Sewer Project.</p>
2	10	4	<p>Maintain financial stability.</p> <p>Advise the City Council on how to continue to maintain the financial stability of the City. Implement strategies which will continue to reduce the City's debt. Present strategies for financing new projects which pay the project costs with cash on hand.</p>

3	1	3	<p>Implement and enhance communication program.</p> <p>The City should implement a City to Citizens communication plan which would include at a minimum, the following:</p> <p>A) Newspaper publications</p> <ul style="list-style-type: none"> • Official notices as required • Council Meeting Minutes (question necessity and effectiveness) <p>B) Quarterly newsletter which would include some of the following:</p> <ul style="list-style-type: none"> i) Message from the Mayor/City Administrator ii) Schedule of upcoming meetings iii) List of all pertinent telephone numbers and personnel iv) Profile of Councilmembers v) Feature City Employees, Police, Firefighters, Public Works and Administrative Staff vi) Fiscal news vii) City projects such as new fire trucks, public works equipment, storm sewer viii) New construction and/or remodeling happening within the City ix) Recycling info and awards x) Feature a business or facility in the City such as Post Office, Marina, Bayport Printing, First State Bank of Bayport, etc. xi) Membership of Commissions and Boards <p>C) Annual Town Meeting (with cookies/coffee/juice)</p> <ul style="list-style-type: none"> i) Hosted by the Mayor ii) Held in the fall iii) Review the City's year highlights and plans for the upcoming year iv) Solicit input from citizens <p>D) Signage</p> <ul style="list-style-type: none"> i) A new lighted events sign at City Hall replacing the existing sign ii) Publicize current events and meetings on the sign <p>E) City website</p> <ul style="list-style-type: none"> i) The 21st Century communication media
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			<ul style="list-style-type: none"> ii) Content would include much of the same as the newsletter iii) Links to other sites, such as Chamber of Commerce, local businesses, County and State Offices
4	9	3	<p>South Lake Street sewer, water and street reconstruction</p> <p>Coordinate a feasibility study on South Lake Street for the installation of sewer and water to residential structures which do not have sewer and water on South Lake Street. The feasibility study should also include the installation of a new street with curb and gutter. The road should be constructed at a minimum elevation of 691' wherever possible.</p> <p>The feasibility study should also include the City providing sewer and water to the Girl Scout house and the City's park beach house.</p>
5	5 & 7	3	<p>Development of the Andersen West property.</p> <p>The City Administrator is to work with the Mayor and the Andersen Corporation to bring about development of the Andersen West property.</p> <p>Establish a Community Development Organization (Economic Development Authority EDA)</p> <p>The City Administrator is to work with the City Council to determine if it is in the best interest of the City to form an economic development authority. The City Council will need to determine whether an economic development authority would be able to more effectively deal with issues such as the development of the Andersen industrial zoned 245 acre property, senior housing, retail business issues, general housing renewal, the enhancement of Highway 95 and the development of parks and trails.</p> <p>Leadership on this issue will have to come from the City Council because it will require the City Council to establish an economic development authority. Before the City Council makes such a decision, there may be some merit for Councilmembers to bring in consultants or City Administrators from cities which have economic development authorities to talk about its purpose and function to see if it fits the goals the City Council has for the City of Bayport.</p>

6	4	2	<p>South Lakeside Drive development</p> <p>The City Administrator is to monitor the development activities at the end of South Lakeside Drive which includes the former McLuckie and Hubb's Point property.</p>
7	6	2	<p>Fire Department</p> <p>The City Administrator is to work with the fire department and City Council to develop a long-range plan for the fire department. The plan will need to address the following items:</p> <p>A) Does the existing fire station need to be remodeled? If so, what would the remodeling plan include? What would its cost be? How would it be financed? When must the remodeling be completed?</p> <p>B) Does Bayport need to build a new fire station? If so, determine its location, the design of the building, its cost, how it would be financed and when it would need to be constructed.</p> <p>C) Outline the replacement schedule for the City's existing fire equipment, identifying the cost of replacing the equipment and identifying financing sources.</p>
8	8	2	<p>Coordinate an effort to investigate traffic calming pedestrian safety program</p> <p>Investigate the feasibility of hiring a landscape architect to study methods to improve Highway 95 for pedestrian safety. This may include landscaping and the beautification program designed to present a calming effect.</p> <p>Investigate the feasibility of reducing speed limits through the City of Bayport.</p>
9	2	1	<p>Hockey rink</p> <p>Remove the existing hockey rink sides and install a concrete base for the entire hockey rink section. Install new sides along the entire perimeter of the hockey rink. Install a fire hydrant near the pleasure and hockey rinks to facilitate on-site flooding of the rinks in the winter time.</p>

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10	11	1	<p>Establish Bayport Youth Government Day</p> <p>Work with Mayor Jim Kosmo to establish and implement a Youth Government Day. This activity is to be coordinated with the Bayport Elementary School.</p>
11	12	1	<p>Review the City's Assessment Policy</p> <p>Review, with City Councilmembers, the City's present assessment policy which was adopted in 1991. Present to the City Council other assessment policy options. Based on a review of the present assessment policy and other options for assessment policies, the Council will decide whether to maintain its existing assessment policy or implement changes.</p>
12	13	1	<p>Pump House facelift</p> <p>Coordinate with the Public Works Director, a program which would improve the appearance of the pump houses. Staff will, however, need to have more specific direction from the City Council on exactly what is implied by a pump house facelift. Does this mean improving just the exterior appearance of the pump house? Or is the Council interested in evaluating the usefulness of the pump house structures as they exist and contemplating the possibility of replacing the existing structures with a space which will be more useful for the Public Works staff in terms of housing water treatment chemicals and pump house mechanical equipment?</p> <p>This item will need to be on a City Council Workshop for further discussion before staff can move forward on this issue.</p>
13	14	1	<p>Emergency plan for government operation</p> <p>Develop and implement an emergency plan for government operation. The plan would focus on the City's administration and police operations should something happen to the building which would make the building unusable for the day to day operations of the City.</p>
14	15	1	<p>Auction off first 10 dog licenses</p> <p>Coordinate an auction of the first 10 dog licenses in an effort to raise additional money for the City. There are a number of residents within the City who would like to</p>

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			have the first few numbers of dog licenses and would probably pay a premium price for it.
15	17	1	<p>Planning and Zoning Committee appreciation</p> <p>Work with the Mayor and/or a member of the City Council to host a Planning and Zoning Commission appreciation activity.</p>
16	16	0	<p>Business day meeting</p> <p>Work with the Mayor and City Council to plan a City business meeting event. Preferably plan the meeting during the evening and focus on areas of interest for local businessmen. The City Administrator should meet with the Mayor and another member of the City Council to lay out the format for the meeting.</p>
17	18	0	<p>Cemetery policy</p> <p>Work with City staff to review the existing Hazelwood Cemetery policy. Present revisions to the Hazelwood Cemetery policy to the City Council at a workshop. The City Council will take action on the Hazelwood Cemetery policy revisions at a regular City Council meeting. The City Administrator and staff are responsible for implementing any changes to the Hazelwood Cemetery policy.</p>
18	19	0	<p>Restrooms at Barker's Alps</p> <p>Study the feasibility of locating permanent restroom facilities at Barker's Alps. Present the cost analysis of locating restrooms at Barker's Alps to the City Council for their review. This would require extending sewer and water to the interior of Barker's Alps.</p>
19	20	0	<p>Drudging at the 4th Avenue North boat ramp</p> <p>Secure quotes for a drudging operation at the 4th Avenue North boat ramp. The boat ramp approach has a large formation of rocks approximately 40 – 50 feet out from the ramp which has resulted in significant damage to large boats when they are launched in the river and removed from the river. Secure quotes from private companies to perform the drudging operation and present the quotes to the City Council to</p>

Bayport City Council Workshop Minutes
January 22, 2001

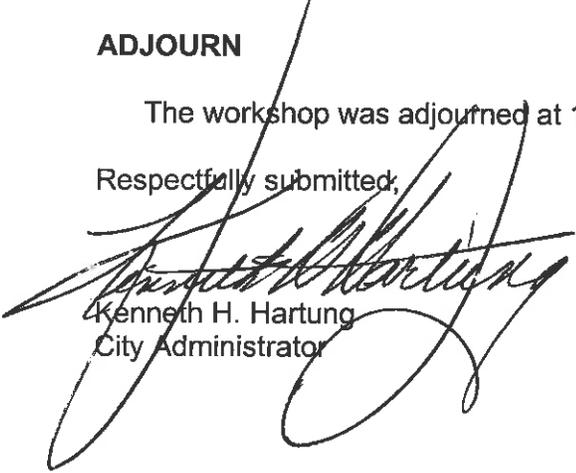
			determine if funding is available. The estimated cost for hiring a commercial dredging company to dredge the material from the 4 th Avenue ramp is \$5,000.00 to \$8,000.00.
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City staff is asking the City Council to give more direction to some of the high priority items in terms of what the Council wants staff to focus on. For example, the communication area may need to identify priority items during the year.

ADJOURN

The workshop was adjourned at 10:35 p.m.

Respectfully submitted,



Kenneth H. Hartung
City Administrator

CITY OF BAYPORT
BAYPORT CITY COUNCIL MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
FEBRUARY 5, 2001
7:00 P.M.

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Jim Kosmo called the regular City Council Meeting of February 5, 2001 to order at 7:00 p.m. and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Jim Kosmo, Councilmembers Jim Menard, Sharon Ridgway, and Jack Nyenhuis.

Members Absent: Councilmember Allen Schultz.

Others Present: Ken Hartung, City Administrator; Barry Peters, City Engineer, Jim Lammers, City Attorney and Brad Carmichael, Fire Chief.

CONSENT AGENDA

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-14

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS A, B, C, D, AND E FROM THE FEBRUARY
5, 2001 COUNCIL AGENDA.

- A. Approve the minutes of the regular City Council Meeting of January 2, 2001.
- B. Approve the minutes of the City Council Workshop Meeting of January 22, 2001.
- C. Approve the bills as presented in the amount of \$710,614.88.
- D. Approve receipts as presented in the amount of \$189,357.97.
- E. Approve the building, plumbing and heating permits issued during the month of January, 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

PUBLIC HEARINGS

Ken Hartung, City Administrator, stated no Public Hearings have been scheduled for this evening's meeting.

PETITIONS

Mayor Reads Statement To Close the City Council Meeting Following the Regular City Council Meeting

Pursuant to the provisions of Minnesota Statutes Section 471.705, and based upon the advice of the City Attorney, I recommend that, at the end of the regular meeting of the City Council, the Council adjourn to a closed meeting.

The purpose of this closed meeting will be to give preliminary consideration regarding status of the employment of Scott Mondor. If the Council concludes that further action is warranted, further meetings or hearings will take place at an open Council meeting. A written record of the members of the Council and all other persons present at the closed meeting will be made available to the public following the meeting. A tape recording will be made of the closed meeting and if any action is taken by the City Council, a roll call will be taken at the meeting. Following the closed session, or at the next regular meeting of the Bayport City Council, for the benefit of the public, the Council will summarize the discussion or action which took place at the closed meeting.

CITY ATTORNEY

City Attorney Jim Lammers stated he had nothing to add at this point in the agenda.

CITY ENGINEER

City Engineer Barry Peters stated he had nothing to add at this point in the agenda.

DEPARTMENT HEADS

Ken Hartung, City Administrator, stated he had no department head reports unless Councilmembers had specific questions related to department operations.

COUNCIL LIAISON REPORTS

Joint Cable Commission Meeting

Councilmember Sharon Ridgway stated the Cable Commission cancelled its meeting of January, 2001 because of a lack of agenda items. She stated the new Joint Cable

Commission office and access studio are in the process of being constructed and furnished at the St. Croix River Heights Plaza Mall. She stated the Joint Cable Commission and access studio are slated to be open for business at the end of March or early April.

Councilmember Sharon Ridgway stated the next Cable Commission Meeting is scheduled for Wednesday, February 21, 2001 at 7:00 p.m. She noted the meeting place is yet to be determined.

Library Board Meeting

Mayor Jim Kosmo stated he attended the Library Board Meeting held on Thursday, January 25, 2001 at 7:00 p.m. at the Bayport Public Library. He stated he would like to highlight the reading room on the first floor of the Library. He noted the reading room has been refurbished by a generous donation from the Stout family. He encouraged local residents to make use of the reading room and enjoy hot chocolate or coffee available to individuals using the reading room.

OLD BUSINESS

Ken Hartung stated there is no old business slated for this evening's meeting.

NEW BUSINESS

Discuss Appointing Mike Bell As Assistant Fire Chief

Mayor Jim Kosmo stated this evening the City Council is considering appointing Mike Bell as Assistant Fire Chief. He asked Fire Chief Brad Carmichael to introduce Mike Bell to Councilmembers and members of the public.

Fire Chief Brad Carmichael stated Mike Bell has served on the Bayport Fire Department for 10-years. He stated he started out in the rescue service and advanced to a fire fighter and became a Captain with the Bayport Fire Department in 1997. He stated he is asking the City Council to appoint Mike Bell as Assistant Fire Chief to assist with the day to day operations of the Fire Department.

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-15

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPOINTING MIKE BELL AS ASSISTANT FIRE CHIEF FOR THE CITY OF BAYPORT
EFFECTIVE FEBRUARY 5, 2001.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

Mayor Jim Kosmo administered the Assistant Fire Chief's Oath of Office. Members of the Council congratulated Mike Bell on his appointment as Assistant Fire Chief.

**Discuss A Request for a Front Yard
Setback Variance to Permit Construction
Of an Entrance Stoop and Open Porch
To be Constructed at the Residence
At 211 North 7th Street**

Mayor Jim Kosmo introduced the Agenda item for a request for a front yard setback variance for 211 North 7th Street and asked the City Administrator to review the specifics of the request.

Ken Hartung stated the City has received a request from Jack and Donna Hogberg at 211 North 7th Street for the City to consider granting a front yard setback variance to permit them to construct a front roof stoop and open front porch. Ken Hartung then illustrated for Councilmembers the location of the Hogberg residence. He stated the Hogberg's residence is located in an area which is zoned R-4 Single Family Urban District. He noted the zoning district of R-4 Single Family Urban District allows roof stoops and porches as attachments to existing residential structures. He indicated the Hogbergs are proposing to construct a roof stoop and open porch measuring 10' x 16' to provide a sheltered entrance to their house which faces North 7th Street. He indicated the existing house has a 35' front yard setback. However, he stated, with the addition of a 10' front entrance stoop and porch, the house would be positioned 25' from the front yard property line. Consequently, he noted, in order for the Hogbergs to be able to construct a roof stoop and entrance porch to their house, it would require the City Council to consider granting a 5' front yard setback variance. Ken Hartung reviewed with Councilmembers a drawing of what the front entrance would look like as submitted by the Hogbergs. He indicated the Planning Commission held a Public Hearing on January 8, 2001. He noted no one on the Planning Commission or from the public spoke against the variance. He stated the Planning Commission unanimously adopted a motion recommending the City Council approve the 5' front yard setback variance.

Councilmember Menard introduced the following resolution and moved its adoption:

RES. 01-16

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING VARIANCE CERTIFICATE CASE NUMBER 01-01V TO PERMIT A 25'
FRONT YARD SETBACK VARIANCE FOR JACK AND DONNA HOGBERG, 211
NORTH 7TH STREET, BAYPORT, MINNESOTA, WITH A LEGAL DESCRIPTION OF
LOTS 5 AND 6, BLOCK 52, BAYPORT (FORMERLY SOUTH STILLWATER).**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Approving Fire Contracts for the
City of Oak Park Heights, Baytown Township
And West Lakeland Township**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-17

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING AGREEMENTS FOR THE CITY OF BAYPORT TO FURNISH FIRE
AND RESCUE SERVICES TO THE CITY OF OAK PARK HEIGHTS, WEST LAKELAND
TOWNSHIP AND BAYTOWN TOWNSHIP.

The motion for adopting the foregoing Resolution was duly seconded by
Councilmember Ridgway and upon roll being taken thereon, the following voted via
voice:

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

Councilmember Jack Nyenhuis stated he would like to see the City of Bayport enter
into a multi-year contract with the communities the City provides fire and rescue services
for. He noted preferably he would like to have a minimum of a 2-year contract to bring
some stability to the process.

Ken Hartung, City Administrator, stated staff can explore the possibility of having a
multi-year contract with the communities of Oak Park Heights, West Lakeland Township
and Baytown Township. He noted, however, the contract price will vary from year to
year based on the tax capacity of each community and the number of fire and rescue
runs which are made to each of the participating communities. He stated he and Brad
Carmichael are slated to meet with West Lakeland Township on Tuesday, February 13,
2001. He noted he will ask West Lakeland Township their receptivity to a multi-year
contract.

**Discuss Authorizing the City Engineer
Prepare Seal Coating Specifications
And Approve the City's Participation in
Washington County's Seal Coating Project**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-18

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING PARTICIPATION WITH WASHINGTON COUNTY IN ITS 2001 SEAL
COATING CONTRACT AUTHORIZING WASHINGTON COUNTY TO ADVERTISE FOR
SEAL COATING BIDS ON BEHALF OF THE CITY OF BAYPORT AND AUTHORIZE
SHORT-ELLIOTT-HENDRICKSON TO PREPARE BID SPECIFICATIONS
ASSOCIATED WITH THE 2001 SEAL COATING PROGRAM.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

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

Ken Hartung stated the City has been approached by the Andersen ALCO Club
requesting authorization to conduct bingo activities at its annual picnic at Lakeside Park
on Saturday, July 21, 2001. He stated the ALCO Club meets all the Minnesota State
Statute requirements to qualify for a Minnesota lawful gambling application authorizing
an exemption from a lawful gambling license. He indicated, however, the State
Gambling Control Board requires the City Council to approve the gambling application
exemption. He also stated the Andersen Corporation would like to have permission to
use the Lakeside Park for their annual employee picnic on Saturday, July 21, 2001.

Moved by Councilmember Menard, seconded by Councilmember Ridgway to
approve the Minnesota Lawful Gambling application for authorization for an exemption
from a lawful gambling license for the Andersen ALCO Club for the date of Saturday,
July 21, 2001 and authorize the City Administrator to sign the application.

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

Voting against: None.

Absent: Councilmember Schultz.

Moved by Councilmember Menard, seconded by Councilmember Ridgway to
authorize the Andersen Corporation to use Lakeside Park for its annual employee picnic
on Saturday, July 21, 2001.

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

Voting against: None.

Absent: Councilmember Schultz.

**Discuss Adopting a Resolution
Approving an Agreement for Fire Inspection
Services for the City of Oak Park Heights**

Councilmember Nyenhuis introduced the following resolution and moved its adoption:

RES. 01-19

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING AN AGREEMENT BETWEEN THE CITY OF BAYPORT AND THE CITY
OF OAK PARK HEIGHTS FOR FIRE INSPECTION SERVICES.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Approving an Agreement for
Building Inspection Services**

Councilmember Menard introduced the following resolution and moved its adoption:

RES. 01-20

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING AN AGREEMENT FOR BUILDING INSPECTION SERVICES WITH
THE CITY OF OAK PARK HEIGHTS FOR THE YEARS OF 2001 AND 2002.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Authorizing Funding for Staff Support
To Seek State Funding for Phase II of the
State Storm Sewer Project**

Ken Hartung, City Administrator, stated staff is asking the City Council to consider adopting a Resolution authorizing an Agreement between the City of Bayport and Legislative Associates, Inc. to assist in acquiring state funding for the construction of Phase II of the State Storm Sewer Project. He stated the Minnesota Legislature, in 1998 and 2000, allocated \$3.3 million to fund Phase I of the new State Storm Sewer Project. He indicated the City is seeking money to complete Phase II of the Storm Sewer Project

from the 2001 legislative session. He noted Legislative Associates, Inc. has submitted a proposal to provide staff support at the legislature for an amount of \$8,742.00. He indicated this is the exact same amount Legislative Associates charged the City in 2000 to assist with securing \$2.68 million for Phase I of the Storm Sewer Project. He noted the City of Stillwater, the City of Oak Park Heights and Baytown Township will also participate in helping to pay the \$8,742.00 cost to secure the services of Legislative Associates. He stated he has spoke with the other local governments regarding their funding commitment. He noted all local governments have indicated an interest in funding their portion of Legislative Associates' fee.

Member Menard introduced the following Resolution and moved its adoption:

RES. 01-21

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BAYPORT AND
LEGISLATIVE ASSOCIATES, INC. TO PROVIDE STAFF SUPPORT FOR A
LEGISLATIVE EFFORT TO SEEK STATE FUNDING FOR THE PHASE II OF THE
STATE STORM SEWER RECONSTRUCTION PROJECT.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Authorizing an Agreement for Washington County
To Provide the City with On-Site
Septic Inspection Services**

Member Menard introduced the following Resolution and moved its adoption:

RES. 01-22

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING AN AGREEMENT BETWEEN THE CITY OF BAYPORT AND
WASHINGTON COUNTY FOR ON-SITE SEPTIC INSPECTION SERVICES
EFFECTIVE JANUARY 1, 2001 THROUGH DECEMBER 31, 2002.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Approving an Agreement Between
The City of Bayport and the City of Stillwater
For Fire Code Inspection Services**

Councilmember Menard introduced the following Resolution and moved its adoption:

RES. 01-23

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING AN AGREEMENT BETWEEN THE CITY OF BAYPORT AND THE CITY
OF STILLWATER FOR FIRE INSPECTION SERVICES RELATED TO THE
ANDERSEN CORPORATION.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Approving a Consent to Allow
Encroachment Onto Metropolitan Council's
Sanitary Sewer Easement to Install
The State Storm Sewer**

Ken Hartung, City Administrator, stated Phase I of the State Storm Sewer reconstruction project will take place during the summer of 2001. He noted in order to be able to construct the State Storm Sewer it will require a number of permanent and temporary easements. He indicated one of the easements the City Council is reviewing this evening is an easement to allow encroachment on the Metropolitan Council's Sanitary Sewer Easement to allow installation of the State Storm Sewer. Ken Hartung then reviewed the location of the easements with Councilmembers referring to Attachment A of Council Letter 01-28. He noted the Metropolitan Council has submitted two Consent Agreements to allow encroachment onto their Sanitary Sewer Easement. He stated City Attorney Jim Lammers reviewed both agreements and required some changes to the easement agreements. Those changes have been made and are submitted this evening for Councilmembers review and approval.

Councilmember Menard introduced the following Resolution and moved its adoption:

RES. 01-24

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGREEMENTS TO ALLOW ENCROACHMENT ONTO THE
METROPOLITAN COUNCIL'S SANITARY SEWER EASEMENT.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss Adopting a Resolution
Authorizing a public Hearing to Consider
Vacating a Portion of a Public Roadway Easement**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-25

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ORDERING A PUBLIC HEARING ON THE PROPOSED VACATION OF A PORTION
OF THE PUBLIC ROAD EASEMENT.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

**Discuss the Feasibility Report
For Fire Station Improvements**

Ken Hartung stated at the City Council Meeting of January 2, 2001, the Council
adopted a Resolution authorizing Short-Elliott-Hendrickson to prepare a preliminary
report associated with remodeling the fire station. He indicated the City Council directed
the City Engineer to prepare a feasibility study associated with the fire station
remodeling to focus on the following areas:

- 1) Prepare a detailed cost estimate for lowering the fire hall bay concrete floor and
concrete apron by 12".
- 2) Prepare a detailed cost estimate to construct a level apron to the existing fire station
floor and have the apron intersect 2nd Avenue North.
- 3) Prepare a cost estimate to modify the bay number 3 door to accommodate the new
fire ladder truck.

Ken Hartung stated the feasibility report dated February 5, 2001 was distributed to all
Councilmembers with their Council Agenda.

Barry Peters, Consulting City Engineer, reviewed the following alternatives with the
City Council related to the fire station remodeling project:

- 1) Alternative One – Lower the Fire Station Floor and Apron.

Alternative One required the City Engineer to investigate lowering the interior floor of the fire station and concrete apron. The interior floor of the fire station is to be lowered 12" to accommodate new fire equipment. The improvement would consist of removing the existing concrete slab and approximately 1' of sub-grade. The outside apron would also have to be lowered to match the lowered fire station bay. All stairs and ramps will have hand rails/guard rails as required by the 1997 Uniform Building Code and 1999 Minnesota Accessibility Code. Additionally, the Council requested the City Engineer to determine the cost of adding a brick veneer and roof flashing to the front of the fire station. The Engineer's estimated cost for Alternate One follows:

A) Estimated Exterior Construction Cost	\$ 72,512.00
B) Estimated Interior Construction Cost	\$163,000.00
C) Thirty-two percent Engineering, Legal and Administration Costs	\$ 75,363.84
Total Estimated Project Cost	\$310,875.84

2) Alternative Two – Raise and Flatten the Apron

Alternative Two would take the existing sloping apron and flatten it so that it would extend level out to 2nd Avenue North. After taking elevation shots, it was determined that the height of the existing doors is 12'0". The new ladder truck will have a height of 11'11". This leaves a clearance of 1". With the minimal height difference, this is not a practical alternative. Therefore, the City Engineer did not list out a cost for Alternative Two.

3) Alternative Three -Revise Door Opening in Bay 3

Alternative Three is a minimal solution effecting only bay number 3. The overhead door of the west bay is proposed to be increased in height from 12' above the finished floor to 12'8". This would be accomplished by modifying the existing concrete block lintel to give a clear height of 12'8". The bottom of the ceiling joist is approximately 12'6". The cost of revising the door opening in one bay breaks down as follows:

A) New overhead door	\$13,200.00
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If the Council decided to do Alternative Three and add an interior handicapped ramp, and handicapped ramp and door to the outside end of the building along with putting an interior restroom and lowering the truck bay in the existing rest room area, the total would come to \$105,600.00.

Ken Hartung, City Administrator, stated during the City Council Workshop of January 22, 2001, the Council also discussed an option of constructing a new fire station at the Barker's Alps area. The fire station would have a dimension of 90' x 150', equal to 13,500 square feet. He noted the estimated cost of constructing a new fire station at Barker's Alps in year 2001 dollars breaks down as follows:

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February 5, 2001

A) Construct a four bay fire station with office space Measuring 90' x 150' equal to 13,500 square feet At \$116.00 per square foot	\$1,700,000.00
B) Extend sewer and water to the site	\$ 200,000.00
Total	\$1,900,000.00

Brad Carmichael, Fire Chief, stated he and the fire department have struggled with trying to decide which one of the alternatives makes the most sense. He indicated if the City Council is looking at another 5- 10 years before considering building a new fire station, Alternative Number One makes the most sense.

Councilmember Jack Nyenhuis stated he doesn't see as practical, the option of building a new fire station at this time. He noted more than likely a sub-station or fire station will be built outside the City in the not too distant future. He indicated he favors spending \$310,000.00 over the \$1.9 million for a new fire station. He indicated remodeling the existing fire station should be able to make it usable for another 5 – 10 years.

Scott Radke, Deputy Fire Chief, stated he and the Fire Chief and other officers have struggled trying to determine which would be the best option. He stated they don't have the answer and we are looking to Councilmembers for direction on this issue.

Captain Mike Galowitz and Captain Matt Bell indicated Alternative One seemed to be the best option.

Mayor Jim Kosmo stated at this point in time, he favors Alternative One. He believes Alternative One will allow the City to get 5 – 10 years of useful life out of the existing fire station prior to having to contemplate where a new fire station or sub-station should be located.

Councilmember Jim Menard stated he can support the \$310,000.00 remodeling of the fire station provided that the station will last a minimum of 5 years.

Councilmember Sharon Ridgway indicated she also supports Alternative Number One.

Ken Hartung, City Administrator, indicated funding for remodeling the fire station can come from two sources. He indicated those sources are:

- 1) The fund balance from the year 2000 budget is \$470,000.00. Typically, in the past the City Council has distributed fund balances to the City's street reconstruction fund, the fire department equipment replacement fund, the public works equipment replacement fund and the City's emergency reserve. The City Council could, in this case, authorize the amount needed to complete the fire department remodeling project from the fund balance. City staff is requesting however, to be conservative, the City set aside \$350,000.00 from the year 2000 fund balance.
- 2) The fire station remodeling project could be financed through a combination of funds from the City's year 2000 fund balance and donations from foundations. In prior

discussion with foundation representatives indicated willingness for the foundations to consider the City's request regarding the remodeling.

There was a consensus by the City Council to proceed with Alternative One.

City Councilmembers also indicated their interest in pursuing foundation support for remodeling the fire station.

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to authorize the City Administrator to initiate contact with the local Andersen foundations to determine an appropriate grant application amount for remodeling the fire station.

Voting in favor: Mayor Kosmo, Councilmembers Nyenhuis, Menard and Ridgway.

Voting against: None.

Absent: Councilmember Schultz.

**Discuss Adopting a Resolution
Authorizing the Preparation of Plans
And Specifications for Remodeling
The Fire Station**

Ken Hartung, City Administrator, stated he has solicited two proposals from engineering and architectural firms specifying the cost of preparing plans and specifications and doing the bidding process associated with Alternate One of the fire station renovation proposal. He indicated he has secured quotes for preparing the fire station remodeling plans and specifications and conducting the bidding process from the following firms:

- 1) Short-Elliott-Hendrickson, 3535 Vadnais Center Drive, St. Paul, Minnesota proposal is to prepare fire station remodeling plans and specifications and conduct the bidding process for a cost not to exceed \$19,800.00.
- 2) Bonestroo, Rosene, Anderlik & Associates, 2335 West Highway 36, St. Paul, Minnesota. Bonestroo, Rosene, Anderlik & Associates' proposal is to prepare fire station remodeling plans and specifications and conduct the bidding process for a cost not to exceed \$19,500.00.

Ken Hartung stated he is recommending the City Council authorize Bonestroo, Rosene, Anderlik & Associates to complete the final design associated with the Bayport fire station remodeling for a cost not to exceed \$19,500.00. He stated he is recommending Bonestroo, Rosene, Anderlik & Associates because their proposal was \$300.00 cheaper than Short-Elliott-Hendrickson and because their experience with constructing fire stations is more extensive than Short-Elliott-Hendrickson's.

Councilmember Jack Nyenhuis stated Short-Elliott-Hendrickson has submitted a proposal which is \$300.00 more than Bonestroo, Rosene, Anderlik & Associates. He noted any unforeseen expenses could easily bring Bonestroo, Rosene, Anderlik & Associates' proposal up to the cost of Short-Elliott-Hendrickson's. He indicated the City has a long working relationship with Short-Elliott-Hendrickson and they are familiar with

this project. Consequently, he stated he is inclined to award the contract to Short-Elliott-Hendrickson. Furthermore, Jack Nyenhuis said that the future engineering construction contract should specify the number and type of inspections that will be conducted and set a not to exceed price. Additionally, an appendix should be attached to the contract which would specify the per hour cost for S.E.H. staff to conduct additional inspections should they be required.

Member Nyenhuis introduced the following Resolution and moved its adoption:

RES. 01-26

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING SHORT-ELLIOTT-HENDRICKSON TO COMPLETE THE FINAL
DESIGN ASSOCIATED WITH THE BAYPORT FIRE STATION REMODELING FOR A
COST NOT TO EXCEED \$19,800.00.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - absent

ADMINISTRATOR'S REPORT

Special City Council Meeting

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to establish a Special City Council Meeting for Tuesday, February 20, 2001 at 7:00 p.m., Bayport City Hall Council Chambers for the purpose of awarding a State Storm Sewer Project Contract and approve various easements and grant agreements associated with the State Storm Sewer Project.

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

Voting against: None.

Absent: Councilmember Schultz.

South Lake Street Feasibility Study

Ken Hartung, City Administrator, stated he would like to encourage the City Council to consider preparing a feasibility study for the Lake Street improvements which include street, sewer and water. He is asking the City Council tonight to authorize the City Administrator to solicit as many as three quotes from separate engineering firms identifying the cost of preparing the feasibility study on the Lake Street improvements.

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to authorize the City Administrator to solicit up to three proposals from engineering firms

identifying the price of a feasibility study associated with the Lake Street improvements, including street, sewer and water.

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

Voting against: None.

Absent: Councilmember Schultz.

Authorize Fire Department Solicitation of Funds

Ken Hartung stated Fire Chief Brad Carmichael is requesting the City Council authorize the fire department to solicit funds for a thermal imaging camera. He noted the camera would be used by the fire department in structure fires to isolate the location of individuals. He noted the camera can also be used to determine the heat characteristics of various building components in a structure fire. He noted this can alert fire fighters of fire dangers associated with fighting a fire from within a structure. He noted the fire department has identified a number of organizations which they would like to solicit funds for the purchase of a thermal imaging camera. He indicated those organizations include the Stillwater Eagles, Stillwater Elk, Stillwater VFW, Bayport American Legion and Wal-Mart.

Moved by Councilmember Menard, seconded by Councilmember Ridgway to authorize the Bayport fire department to solicit funds for a thermal imaging camera from the Stillwater Eagles, Stillwater Elks, Stillwater VFW, Bayport American Legion and Wal-Mart.

Voting in favor: Councilmembers Menard, Ridgway, Nyenhuis and Mayor Kosmo.

Voting against: None.

Absent: Councilmember Schultz.

ADJOURN

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to adjourn the regular City Council meeting and convene a closed City Council meeting to discuss employment status of a City employee.

Voting in favor: Mayor Kosmo, Councilmembers Menard, Nyenhuis, and Ridgway.

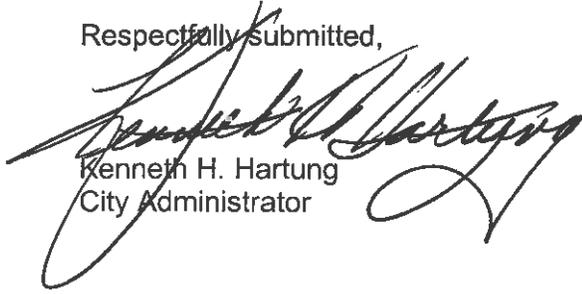
Voting against: None.

Absent: Councilmember Schultz.

The regular City Council meeting was adjourned and convened to a closed City Council session at 8:36 p.m.

Bayport City Council Meeting Minutes
February 5, 2001

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth H. Hartung", written in a cursive style. The signature is positioned above the printed name and title.

Kenneth H. Hartung
City Administrator

CITY OF BAYPORT
BAYPORT CITY COUNCIL CLOSED MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
FEBRUARY 5, 2001
8:47 P.M.

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Jim Kosmo called the closed City Council meeting of February 5, 2001 to order at 8:47 p.m. and asked the City Administrator to call roll.

ROLL CALL

Members Present: Mayor Jim Kosmo, Councilmembers Jim Menard, Sharon Ridgway, and Jack Nyenhuis.

Members Absent: Councilmember Allen Schultz.

Others Present: Ken Hartung, City Administrator; Brad Carmichael, Fire Chief and Pat Beety, League of Minnesota Cities Insurance Trust Attorney.

DISCUSS EMPLOYMENT STATUS OF FIRE FIGHTER SCOTT MONDOR

Ken Hartung stated the City of Bayport has been in correspondence with fire fighter Scott Mondor since October 17, 2000. Correspondence to Mr. Mondor indicates that he has failed to meet the attendance requirements and can no longer perform the essential duties of a Bayport fire fighter. Ken Hartung stated the City has documented an inability to perform fire fighter duties by Scott Mondor from at least January of 1999. The City now has received confirmation from Scott Mondor's doctor that his activities are permanently restricted so he will not be able to perform the essential duties of a fire fighter. He indicated Scott Mondor has been an extremely valuable member of the Bayport fire department for many years. He noted it is unfortunate that his physical limitations prevent him from performing the essential functions of a fire fighter. He noted unfortunately, because the City's fire department is small, we are not able to provide light duty assignments. Consequently, he indicated he really sees no other choice but to remove Mr. Mondor from the Bayport fire department membership.

Councilmembers discussed the issue with Fire Chief Brad Carmichael, Administrator Ken Hartung and League of Minnesota Cities Attorney Pat Beety. Following their discussion, they concur they have no reasonable choice but to remove Mr. Mondor from the fire department because he is permanently restricted from performing the essential functions of a fire fighter.

Moved by Councilmember Menard, seconded by Councilmember Nyenhuis, to remove Scott Mondor from the membership of the Bayport fire department effective Monday, February 5, 2001 because he is unable to perform the essential functions of a fire fighter.

Voting in favor: Mayor Kosmo, Councilmembers Menard, Nyenhuis, and Ridgway.

Bayport City Council Closed Meeting Minutes
February 5, 2001

Voting against: None.

Absent: Councilmember Schultz.

Mayor Jim Kosmo stated he wanted Scott Mondor to know this is not a disciplinary action. He indicated it is important for the City to convey to Mr. Mondor the City Council's and the community's appreciation for his dedicated 16+ years to the fire department.

The Council unanimously supported the City constructing a Certificate of Appreciation for Mr. Mondor, presented to him by the City and signed by the Mayor.

ADJOURN

Moved by Councilmember Menard, seconded by Councilmember Ridgway, to adjourn the closed City Council meeting of Monday, February 5, 2001.

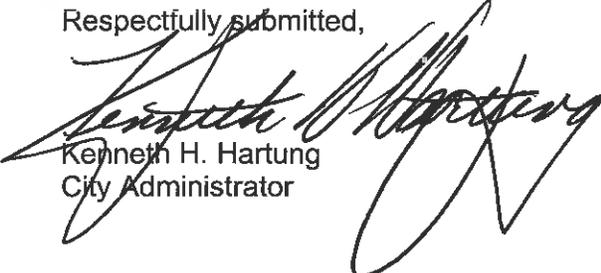
Voting in favor: Mayor Kosmo, Councilmembers Menard, Ridgway and Nyenhuis.

Voting against: None.

Absent: Councilmember Schultz.

The closed City Council meeting of February 5, 2001 was adjourned at 9:02 p.m.

Respectfully submitted,


Kenneth H. Hartung
City Administrator

CITY OF BAYPORT
BAYPORT SPECIAL CITY COUNCIL MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
FEBRUARY 20, 2001
7:00 P.M.

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Jim Kosmo called the Special City Council Meeting of February 20, 2001 to order at 7:01 p.m. and asked the City Administrator to call roll.

ROLL CALL

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

Members Absent: Councilmember Jim Menard.

Others Present: Ken Hartung, City Administrator; Jeff Davis, Engineer with Short-Elliott-Hendrickson; and Wayne Wambold, Geo-technical Engineer with Short-Elliott-Hendrickson.

**DISCUSS AWARDING THE CONTRACT
FOR THE STATE STORM SEWER PROJECT**

Ken Hartung stated at the City Council Meeting of January 2, 2001, the Council adopted Resolution 01-12 approving plans and specifications for the State Storm Sewer Project and setting a bid date for Tuesday, February 6, 2001 at 2:00 p.m. CST. He stated on Tuesday, February 6, 2001, the City received 5 bids for the State Storm Sewer Project. He reviewed the bids submitted on February 6, 2001 with City Councilmembers with the aid of Table 1 below:

**Table 1
Bid Prices for
State of Minnesota
Storm Sewer Project**

Bidder's Name	Phase I	Phase I Alternate A Open Cut Prison Bank	Phase I Alternate B Tunnel Prison Bank	Phase II
Barbarossa & Sons, Inc. 11000 93 rd Ave. N. Osseo, MN 55369	\$1,206,422.50	\$222,561.50	None	\$369,682.00

Bayport Special City Council Meeting Minutes
February 20, 2001

Bidder's Name	Phase I	Phase I Alternate A Open Cut Prison Bank	Phase I Alternate B Tunnel Prison Bank	Phase II
Lametti & Sons, Inc. 16028 Forest Blvd. N. P.O. Box 477 Hugo, MN 55038	\$1,477,746.00	\$357,323.00	\$294,800.00	\$355,399.00
Park Construction 7900 Beech St. NE Minneapolis, MN 55432	\$1,350,685.00	\$203,930.00	\$345,600.00	\$358,014.00
Richard Knutson 12585 Rhode Island Ave. S. Savage, MN 55378	\$1,407,092.35	\$390,486.50	\$365,650.00	\$316,935.35
S.M. Hentges & Sons 650 Quaker Ave. Suite 200 P.O. Box 69 Jordan, MN	\$1,074,307.79	\$158,392.90	\$289,520.00	\$321,798.44

He noted the bid document required the contractor to bid on Phase I and Phase II of the project. He explained the two construction phases for Councilmembers as follows:

1) Phase I Construction 2001.

Phase I of the State Storm Sewer Project consists of constructing a storm sewer from the St. Croix River just north of the Andersen Corporation to the Stillwater Correctional Facility located in the City of Bayport.

2) Phase II Construction 2002

Phase II of the State Storm Sewer Construction Project is slated to be constructed during 2002. Construction of Phase II is contingent upon the Minnesota Legislature appropriating \$1.2 million during the 2001 legislative session. Phase II involves constructing the State Storm Sewer from the Stillwater Correctional Facility located in the City of Bayport to the DNR Prison Pond.

He noted the contract bids for the State Storm Sewer Project Phase I required an alternate A and an alternate B. He outlined the difference between Phase I alternate A and Phase I alternate B as follows:

- 1) Phase I alternate A allows the contractor to open cut the installation of sanitary sewer on the west side of Highway 95 up a large embankment on the north side of the warden's prison house to a point west of North Pickett Street.

- 2) Phase I alternate B requires the contractor to tunnel west of Highway 95 through the bluff hillside ending up on the west side of Pickett Street north of the warden's house.

He indicated a review of the bids by the City's Engineer indicated the best option between Phase I alternate A and Phase I alternate B is to select Phase I alternate A. He stated the contractor who submitted the overall low bid for all aspects of the State Storm Sewer Project was S.M. Hentges & Sons of Jordan, Minnesota. He noted S.M. Hentges & Sons of Jordan, Minnesota submitted a low bid with a cost of \$1,232,700.69.

Jeff Davis, Engineer with Short-Elliott-Hendrickson, and Lead Engineer on the project stated he has made a number of contacts with cities who have experience with S.M. Hentges & Sons completing work for them. He noted in almost every case, they note that S.M. Hentges & Sons have an unusual amount of extra charges. He indicated a representative of S.E.H. will be watching the contractor closely to make sure any extra charges are justified. Mr. Davis stated, however, there was nothing in their reference background that would indicate a grounds for rejecting the bid offer from S.M. Hentges & Sons.

Jeff Davis stated he contacted Tom Borman of S.M. Hentges & Sons to ask him if their bid was good and if there were any material errors. Mr. Davis called Tom Borman because S.M. Hentges & Sons' bid was significantly below all the other contract bids. Mr. Davis indicated that Mr. Borman stated the bid price was good and there were no material errors and they stand by the bid submitted on February 6, 2001.

Councilmember Nyenhuis questioned the \$74,000.00 for the Union Pacific Railroad reconstruction and asked Mr. Davis if boring had been an option.

Jeff Davis, Engineer on the State Storm Sewer Project indicated they had explored the option of tunneling under the railroad. However, he said, they did run into a significant amount of rock which could cause some significant problems. He noted NSP has worked out an agreement with Union Pacific Railroad to stop coal delivery between April 23rd and May 1st of 2001. He noted this will give the contractor enough time to install the storm sewer under the railroad and have Union Pacific reconstruct the crossing.

Ken Hartung then reviewed for Councilmembers, the Engineer's estimate of Phase I versus the contract price. He noted the contract price has come in considerably under the Engineer's estimate.

Ken Hartung indicated the City and the Andersen Corporation are still working on an easement agreement required for construction of the State Storm Sewer Project. He noted the City's current Point Road easement is actually within the Andersen's lumberyard. He noted for some reason Point Road was not built on the City's easement. He indicated the City and Andersen's are proposing to vacate the existing easement within the lumberyard and exchange that easement for a new easement where Point Road was actually constructed. He noted there are a few details yet to be worked out

with the City Attorney and Andersen's Attorney. However, he indicated, Jack Piepel, Vice-president of the Andersen Corporation has indicated if the agreements are not completed in time for the contractor's work, Andersen Corporation will sign a waiver of trespass agreement which will allow the contractor to complete the work associated with the State Storm Sewer Project.

Member Schultz introduced the following Resolution and moved its adoption:

RES. 01-27

RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, APPROVING AN AGREEMENT BETWEEN THE CITY OF BAYPORT AND S.M. HENTGES & SONS OF JORDAN, MINNESOTA, FOR WORK ASSOCIATED WITH THE STATE STORM SEWER PROJECT PHASE I AND PHASE I ALTERNATE A FOR A BID PRICE OF \$1,232,700.69.

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

Jim Kosmo – aye
Jim Menard – absent
Jack Nyenhuis – aye

Sharon Ridgway – aye
Allen Schultz – aye

Member Nyenhuis introduced the following Resolution and moved its adoption:

RES. 01-28

RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA, AUTHORIZING EXPENSES OF UP TO \$74,000.00 TO UNION PACIFIC RAILROAD FOR RECONSTRUCTION OF THE RAILROAD CROSSING ON POINT ROAD ASSOCIATED WITH THE STATE STORM SEWER PROJECT PHASE I.

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

Jim Kosmo – aye
Jim Menard – absent
Jack Nyenhuis – aye

Sharon Ridgway – aye
Allen Schultz – aye

**DISCUSS ADOPTING A RESOLUTION APPROVING
A GENERAL OBLIGATION BONDS DISBURSEMENT
AGREEMENT CONSTRUCTION GRANT AND GENERAL
OBLIGATION BONDS GRANT AGREEMENT CONSTRUCTION
GRANT BETWEEN THE CITY OF BAYPORT AND THE
STATE OF MINNESOTA DEPARTMENT OF ADMINISTRATION**

Ken Hartung stated City staff is asking the City Council to consider adopting a Resolution approving a General Obligations Bonds Disbursement Agreement Construction Grant and a General Obligations Bonds Grant Agreement Construction Grant between the City of Bayport and State of Minnesota.

Ken Hartung indicated the State Legislature, in the year 2000, allocated \$2,680,000.00 to the City of Bayport for construction of Phase I of the State Storm Sewer Project. He noted that in order for the City to be able to utilize the \$2.68 million authorized by the State Legislature, it is necessary for the City of Bayport to enter into two agreements with the State of Minnesota. Those agreements are:

- 1) A General Obligation Bonds Disbursement Agreement Construction Grant for the Bayport Storm Sewer Project. This agreement allows the City of Bayport to be reimbursed for expenses associated with the state storm sewer Phase I construction.
- 2) A General Obligations Bond Grant Agreement Construction Grant for the Bayport Storm Sewer Project. This is an agreement between the State of Minnesota and the City of Bayport authorizing a grant in the amount of \$2.68 million to fund Phase I of the state storm sewer project.

Ken Hartung indicated the Agreements have been reviewed by City Attorney, Jim Lammers, who says he finds the Agreements acceptable as drafted.

Member Schultz introduced the following Resolution and moved its adoption:

RES. 01-29

RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING A GENERAL OBLIGATION BONDS DISBURSEMENT AGREEMENT
FOR THE BAYPORT STORM SEWER PROJECT AND APPROVING THE GENERAL
OBLIGATION BONDS GRANT AGREEMENTS CONSTRUCTION GRANT FOR THE
BAYPORT STORM PROJECT.

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

Jim Kosmo – aye
Jim Menard – absent
Jack Nyenhuis – aye

Sharon Ridgway – aye
Allen Schultz – aye

**DISCUSS ADOPTING A RESOLUTION AUTHORIZING
THE SALE OF THE 1968 GMC DUMP TRUCK**

Member Schultz introduced the following Resolution and moved its adoption:

RES. 01-30

RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE SALE OF THE CITY OF BAYPORT'S 1968 GMC DUMP TRUCK
TO MIKE MOHR FOR AN AMOUNT OF \$100.00.

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

Jim Kosmo – aye
Jim Menard – absent
Jack Nyenhuis – aye

Sharon Ridgway – aye
Allen Schultz – aye

BAYPORT NEWSLETTER

Mayor Jim Kosmo stated the Bayport Newsletter will be distributed to residents at the end of February or early March. He stated a copy of the Newsletter proof has been provided for all Councilmembers at this evening's meeting.

POLICE DEPARTMENT REQUEST TO SEEK GRANT MONEY

Ken Hartung stated Police Chief, John Gannaway, has approached him to ask the City Council to authorize a grant proposal to the Andersen Foundation to purchase two squad car video systems. He noted the systems have video and audio capability which include a forward camera and a wireless microphone and a trunk mount videocassette. He stated the units are priced at \$3,340.00 each with a \$200.00 setup charge. He noted if the cameras were purchased, department policy would be to use them at all traffic stops, disturbances and domestic calls. He noted the police department would retain the tapes with no evidentiary value for 30 days and then recycle them. He noted the recordings would protect citizens and ensure the professionalism of officers and protect officers from frivolous complaints.

Moved by Councilmember Schultz, seconded by Councilmember Ridgway, to authorize the Police Chief and City Administrator to forward a grant application to the Andersen Foundation seeking a donation in the amount of \$7,080.00 for the purchase and installation of two squad car video systems.

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

Voting against: None.

Absent: Councilmember Menard.

FIRE STATION GRANT APPLICATION

Ken Hartung stated he is finishing up the fire station grant application to fund \$250,000.00 of the \$350,000.00 expenses associated with remodeling the fire station. He indicated he will be submitting grant applications to the Andersen Foundation, the Bayport Foundation, the Hugh J. Andersen Foundation and the Katherine B. Andersen Foundation.

ADJOURN

Moved by Councilmember Schultz, seconded by Councilmember Ridgway to adjourn the City Council Special Meeting.

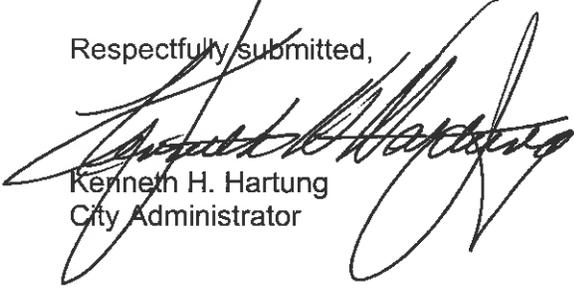
Voting in favor: Councilmembers Schultz, Ridgway, Kosmo and Nyenhuis.

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February 20, 2001

Voting against: None.

Absent: Councilmember Menard.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "Kenneth H. Hartung". The signature is written over the printed name and title.

Kenneth H. Hartung
City Administrator

CITY OF BAYPORT
BAYPORT CITY COUNCIL MEETING MINUTES
BAYPORT CITY HALL COUNCIL CHAMBERS
MARCH 5, 2001
7:00 P.M.

CALL TO ORDER

Pursuant to due call and notice thereof, Mayor Jim Kosmo called the regular City Council Meeting of March 5, 2001 to order at 7:00 p.m. and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

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

Others Present: Ken Hartung, City Administrator; Barry Peters, Consulting City Engineer, Jim Lammers, City Attorney and Brad Carmichael, Fire Chief.

CONSENT AGENDA

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-31

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS A, B, C, D, AND E FROM THE MARCH 5,
2001 CITY COUNCIL AGENDA.

- A. Approve the minutes of the regular City Council Meeting of February 5, 2001.
- B. Approve the minutes of the City Council Special Meeting of February 20, 2001.
- C. Approve the bills as presented in the amount of \$429,316.46.
- D. Approve receipts as presented in the amount of \$138,140.29.
- E. Approve the building, plumbing and heating permits issued during the month of February, 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

PUBLIC HEARINGS

**Discuss Adopting a Resolution Canceling the
Public Hearing to Consider Vacating a Portion of a
Public Roadway Easement and
Setting a New Public Hearing Date**

Mayor Kosmo stated this evening's scheduled Public Hearing is scheduled for cancellation. He asked City Administrator Ken Hartung to explain the reason for canceling tonight's Public Hearing on a proposed vacation of a public right-of-way.

Ken Hartung stated at the City Council Meeting of February 5, 2001, the Council adopted a resolution ordering a Public Hearing to consider vacating a portion of an unused section of Point Road. He stated at this time, the Andersen Corporation and the City have not reached an agreement on the vacation proposal. Consequently, he is asking the City Council to cancel the Public Hearing for this evening and reschedule it for the next regular City Council Meeting for Monday, April 2, 2001.

Councilmember Schultz introduced the following resolution and moved its adoption:
RES. 01-32

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
CANCELING THE PUBLIC HEARING ON A PROPOSED VACATION OF A PORTION
OF A PUBLIC ROADWAY EASEMENT ESTABLISHED FOR MONDAY, MARCH 5,
2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-33

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
ORDERING A PUBLIC HEARING ON A PROPOSED VACATION OF A PORTION OF A
PUBLIC ROADWAY EASEMENT FOR MONDAY, APRIL 2, 2001.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

PETITIONS

**Charlie Kaiser
555 South Lakeside Drive**

Ken Hartung, City Administrator, stated he had been contacted by Charlie Kaiser of 555 South Lakeside Drive regarding a concern he has about being able to get out of his driveway on snowy and icy days. Ken Hartung stated in the fall of 2000, the City constructed a new section of South Lakeside Drive. He noted the new section of the road consisted of a cul de sac to provide public access to two new lots at 575 and 595 South Lakeside Drive. He indicated in order to meet the Floodplain Management Ordinance requirements, the new section of the road was required to be constructed at an elevation of 691'. He indicated Mr. Kaiser's driveway to his private residential lot accesses off of the newly constructed cul de sac street. Mr. Kaiser's garage entrance, he noted, is at an elevation of approximately 686'. Working with Mr. Kaiser, he indicated, the City constructed an approach off of South Lakeside Drive to his garage entrance. He noted Mr. Kaiser has indicated on occasions during icy and snowy weather, he and his wife have problems exiting their residential property to gain access to South Lakeside Drive because of the incline of the approach to their property from the newly constructed cul de sac.

Charlie Kaiser, 555 South Lakeside Drive, stated his wife has, on three occasions, not been able to get out of the driveway with her car because of snowy or icy conditions. He stated he has a four-wheel drive truck and does not have any problem getting out, however, his wife does have problems with their two-wheel drive car. He indicated he has used approximately 15 gallons of de-icer to help remove snow and ice so they can exit their residential property onto South Lakeside Drive. He stated before the City constructed the cul de sac, he never had any problem getting out of his driveway. He noted he also talked to Short-Elliott-Hendrickson Engineering Technician, Jeff, who indicated the cul de sac was actually constructed at a level higher than what was required at 691' elevation, but at a level of 692'. He stated he also has a concern about the storm water drain located on the south entrance of his driveway. He noted because the drain is located at the south entrance of his driveway, water coming down the street has to run past his driveway into the drain. He is concerned the water will run over the curb edging and down his driveway.

Barry Peters, Consulting City Engineer, stated the South Lakeside Drive cul de sac was constructed at an elevation of 691', not at 692' as Mr. Kaiser claims. He stated the road was built at the right elevation. He indicated the storm sewer drain was located south of Mr. Kaiser's driveway because it is a natural low point for road construction. He indicated if the storm water drain were to be located north of Mr. Kaiser's driveway, the cul de sac would have to be sloped north to allow for water to drain in that direction. He stated a lip was constructed at the curb cut to Mr. Kaiser's driveway to prevent normal water flow from going down his driveway. He stated, however, during extremely icy conditions or extremely heavy rains, this may not prevent water from coming down Mr. Kaiser's driveway. He stated, however, during heavy rains, even 4" to 6" curbs have not prevented water from flowing over the curb.

Mr. Kaiser stated the only way he believes to remedy the problem, which prevents his wife from occasionally getting out of the driveway on snowy and icy days, is to fill in his driveway area to a level of 693' in elevation. He indicated this will require a retaining

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March 5, 2001

wall to be constructed on the east side of his house. He noted his garage would have to be blocked up to permit fill to be placed on the south side of his house to an elevation of 693'.

City Administrator Ken Hartung asked who would cover the expense associated with building a retaining wall, blocking up the garage and filling in the area south of his house to an elevation of 693'?

Mr. Kaiser stated he believes the City should bear the entire cost associated with constructing a retaining wall, blocking up his garage and providing the fill. He noted he has been in contact with Attorney Dave Magnuson, who believes the City changing the access to his driveway has denied reasonable access to his property and consequently, he believes the City should pay the entire cost of making any corrections.

Councilmember Jim Menard stated he believes the best solution to the problem may be to asphalt Mr. Kaiser's approach.

Charlie Kaiser stated he doesn't believe that providing asphalt for the approach from his garage to Lakeside Drive will solve the problem. He stated he believes the only way to solve the problem is to fill in the area.

Ken Hartung, City Administrator, stated before Mr. Kaiser can propose to do anything, it is necessary for the contractor who placed the rock to come back and do some correction work on Mr. Kaiser's foundation wall. He stated last fall the contractor placed the boulders for a retaining wall and broke some of Mr. Kaiser's concrete block in his basement wall. He noted in the spring, the contractor will have to come in, remove the rocks and make corrections to Mr. Kaiser's concrete block wall to correct the damage.

Mayor Jim Kosmo stated he understands Mr. Kaiser's concern. He indicated he would like the City Administrator, City Attorney and City Engineer to review the situation. Specifically, he would like to have the City Engineer determine the slope and estimate the cost associated with constructing a retaining wall, blocking up Mr. Kaiser's garage and providing fill to a level of 693'. He stated he would also like to have an opportunity for the City to further review the homeowner's and City's options related to this issue.

Ken Hartung, City Administrator, stated he should be able to bring something back to the City Council Meeting on April 2, 2001 regarding this issue.

CITY ATTORNEY

City Attorney Jim Lammers stated he had nothing to add at this point in the agenda.

CITY ENGINEER

City Engineer Barry Peters stated he had nothing to add at this point in the agenda.

DEPARTMENT HEADS

Ken Hartung stated he had nothing to add at this point in the agenda unless Councilmembers had specific questions.

COUNCIL LIAISON REPORTS

Joint Cable Commission Meeting

Councilmember Sharon Ridgway stated the Cable Commission held its regular meeting on February 21, 2001 at Oak Park Heights City Hall. She stated the Cable Commission held its annual meeting at 6:30 p.m. and elected Jerry Turnquist as Chair, Sharon Ridgway as Vice-Chair and Gary Talbot as Secretary/Treasurer.

Sharon Ridgway stated the regular Cable Commission meeting was held at 7:00 p.m. at Oak Park Heights City Council Chambers. She noted the following items were discussed:

- 1) Cable service has been made available to the new Stillwater ice-rink.
- 2) New rates for cable service have been put into place.
- 3) The new studio will be ready by April 1, 2001. It is anticipated the public access channels may be down for a maximum of one day.
- 4) The new lighting boards and new decks have been purchased by the Cable Commission.
- 5) The Joint Cable Commission is working with the Lower St. Croix Valley Cable group to develop a service agreement which will be acceptable to both parties.
- 6) The Cable Commission is working on a personnel manual.

Councilmember Ridgway stated the next Cable Commission Meeting has been scheduled for Wednesday, March 21, 2001 at Stillwater City Hall at 7:00 p.m.

OLD BUSINESS

Ken Hartung stated there is no old business slated for this evening's meeting.

NEW BUSINESS

Discuss Adopting a Resolution Approving a Pipeline Crossing Agreement Between the City of Bayport and Union Pacific Railroad

Ken Hartung stated that in order for the City to go forward with construction of the State Storm Sewer Project, it is necessary to open cut an area across and under the Union Pacific Railroad on Point Road. He noted in order for the City to open cut the area, it is necessary for the City and the Union Pacific Railroad to enter into a pipeline crossing agreement. He noted Union Pacific Railroad will be charging the City

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\$4,467.00 to enter into an agreement which will give the City permission to open cut across and underneath their track. In addition, the City will have to pay for the entire cost of restoring the railroad crossing, which could amount to a cost of \$60,000.00 to \$75,000.00. He noted the cost associated with the pipeline crossing agreement and restoration of the Union Pacific Railroad Crossing will be paid for from the Storm Sewer Project proceeds of \$2.68 million allocated by the State of Minnesota.

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-34

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING A PIPELINE CROSSING AGREEMENT BETWEEN THE CITY OF
BAYPORT AND UNION PACIFIC RAILROAD COMPANY.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

Ken Hartung indicated he has an additional item for the City Council to consider at this point in the Council Meeting. He stated in order to construct the State Storm Sewer Project, it is necessary for the City to acquire a number of temporary and permanent construction easements. He stated to ensure the easements are executed in a timely manner, so as not to hold up progress on construction of the Storm Sewer Project, he is recommending the City Council adopt a Resolution authorizing the Mayor and City Administrator to execute temporary and permanent construction easement agreements associated with the Phase I and Phase II of the State Storm Sewer Project. He noted the Resolution would also specify that all temporary and permanent construction easements associated with the State Storm Sewer Project shall be approved by the City Attorney prior to the Mayor and City Administrator signing said agreements.

Councilmember Menard introduced the following resolution and moved its adoption:
RES. 01-35

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE
TEMPORARY AND PERMANENT CONSTRUCTION EASEMENT AGREEMENTS
ASSOCIATED WITH THE PHASE I AND PHASE II OF THE STATE STORM SEWER
PROJECT.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Approving a Continuance of
Goodwill Memorandum on Recycling for the
Cities of Stillwater, Oak Park Heights and Bayport**

Moved by Councilmember Menard, seconded by Councilmember Ridgway to approve the Continuance of Memorandum between the City of Bayport and Goodwill Industries for the year 2001 effective January 1, 2001 through December 31, 2001 and authorize the City Administrator and Mayor to sign the Continuance of Memorandum.

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

Voting against: None.

**Review the City of Oak Park Heights,
City of Bayport Blue Ribbon Fire Committee Report**

Ken Hartung stated in April and May of 2000, the Oak Park Heights and Bayport City Councils agreed to appoint a Blue Ribbon Committee to study fire services provided to the City of Oak Park Heights by the City of Bayport. He noted following a study of approximately 9 months, the Blue Ribbon Committee made the following recommendations:

- 1) Recommend Bayport acquire and maintain fire equipment and rescue equipment necessary to provide fire and medical services to the City of Oak Park Heights.
- 2) Recommend increased efforts to recruit firefighters from the City of Oak Park Heights to help provide fire fighting and medical service personnel.
- 3) Determined that a sub-station in the City of Oak Park Heights is not required at this time.
- 4) Conduct an annual review of fire protection as it relates to fire fighting equipment and storage.
- 5) Place a high priority on prevention. The plan should include exploring the creation of prevention programs, such as home inspections, low interest loans for sprinkler systems, fire extinguisher distribution, smoke alarm distribution and Ordinances requiring improved sprinkler systems in multi-family dwellings.
- 6) Explore the establishment of a special service district.

Brad Carmichael, Fire Chief, indicated the City has recruited five individuals from Oak Park Heights and two individuals from Baytown Township for the Bayport Fire Department.

**Discuss Adopting a Resolution
Approving the Fire Station Improvement Plans
and Specifications and Establishing a Bid Date
For Tuesday, March 27, 2001 at 2:00 p.m. CST**

At the City Council Meeting of February 5, 2001, the Council adopted Resolution 01-26 authorizing Short-Elliott-Hendrickson to complete the final design associated with the Bayport Fire Station remodeling for a cost not to exceed \$19,800.00. He stated Short-

Elliott-Hendrickson has completed the plans and specifications and will be presenting those plans and specifications for the City Council this evening.

Barry Peters outlined the changes associated with the Bayport Fire Station remodeling project, describing the floor plan and the timelines associated with contractor work for the remodeling project.

Councilmember Schultz introduced the following resolution and moved its adoption:
RES. 01-36

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING THE PLANS AND SPECIFICATIONS FOR THE CITY OF BAYPORT
FIRE STATION IMPROVEMENTS AND ESTABLISHING A BID DATE FOR TUESDAY,
MARCH 27, 2001 AT 2:00 P.M. CST AT BAYPORT CITY HALL.

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Adopting a Resolution
Authorizing the Purchase of a
Police Squad Car**

Councilmember Menard introduced the following Resolution and moved its adoption:
RES. 01-37

RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE PURCHASE OF A 2001 CHEVROLET IMPALA POLICE SQUAD
CAR FROM HINCKLEY CHEVROLET OF HINCKLEY, MINNESOTA FOR A PRICE OF
\$19,608.75.

The motion for adopting the foregoing Resolution was duly seconded by Councilmember Schultz and upon roll being taken thereon, the following voted via voice:

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Alternative Review Process
for Review of Property Assessed Market Values**

Ken Hartung stated the City Council, in September of 2000, adopted a Resolution authorizing a transfer of the City of Bayport's local board of review powers and duties to the Washington County Board on the condition that the Washington County Assessor conducted an annual open book session at Bayport City Hall. He stated the open book session has been scheduled for Monday, April 9, 2001 from 5:30 p.m. to 6:30 p.m. in Bayport City Hall. He indicated residents are encouraged to contact the Washington

County Assessor's Office before the April 9, 2001 meeting if they have any questions about the assessed market value of their property.

**Discuss Approving Expenses Associated
With Flood Preparation Efforts**

Ken Hartung, City Administrator, stated staff has initiated a number of activities to give the City a head start on any potential flooding which may occur during the spring snow melt. Those activities are as follows:

- 1) Staff has put together a list of 161 residential addresses of properties that have a potential of experiencing some flooding this spring. I have sent a letter to the property owners on Thursday, March 1, 2001 advising them of the following:
 - A) Floodplain Projection from the National Weather Service.
 - B) If they have an interest in securing flood insurance, they need to contact their insurance agent. National Flood Insurance can be purchased through their homeowner's insurance agent. Flood insurance must be in effect at least 30 days prior to any flood damage occurring to a structure.
 - C) The City of Bayport will supply sand bags and sand free of charge to Bayport residents.

To facilitate the preparation by the City in case we do experience significant flooding this year, he is asking the City Council to take the following action:

- 1) Authorize the City to provide sand and sand bags at no cost to Bayport residents.

I am anticipating the City will need to purchase approximately 10,000 sandbags at \$.23 for a total cost of \$2,300.00. Additionally, sand will be brought in at a cost of \$30.00 per truckload of 5 cubic yards.

- 2) I would like the City Council to consider adopting a Resolution authorizing the City Administrator to take steps he deems necessary related to the St. Croix River flooding to protect health and welfare of residents within the City of Bayport.

In 1997, the City Council adopted a similar Resolution which gave the City Administrator the flexibility to deal with a number of different flooding elements in a timely manner. Unfortunately, the bad thing about adopting such a Resolution is that it has significant financial consequences for the City because there is no dollar amount attached to the Resolution. However, if we do have a flood situation, I would be updating Councilmembers on a regular basis about expenses associated with flood activities.

Moved by Councilmember Menard, seconded by Councilmember Schultz, to authorize the City provide sand and sandbags at no cost to Bayport residents for flood protection.

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

Voting against: None.

Councilmember Schultz introduced the following resolution and moved its adoption:
RES. 01-38

**RESOLUTION CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
AUTHORIZING THE CITY ADMINISTRATOR TO TAKE THE STEPS HE DEEMS
NECESSARY RELATED TO THE ST. CROIX RIVER FLOODING TO PROTECT
HEALTH, SAFETY AND WELFARE OF RESIDENTS WITHIN THE CITY OF BAYPORT.**

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

Jim Menard - aye
Jack Nyenhuis - aye
Jim Kosmo - aye

Sharon Ridgway - aye
Allen Schultz - aye

**Discuss Authorizing a Job Evaluation
Of the Secretary/Receptionist Position**

Ken Hartung stated on July 3, 2000, the City Council adopted a motion approving a new job description for the Secretary/Receptionist position with the City of Bayport. He noted the new job description changed the responsibilities for the position to a level which he believes an evaluation of the position must be conducted to determine its point value in comparison with other City job positions. He stated he has received a quote from Paul Ness, a consultant with Helping Minnesota Cities, Inc. He noted Mr. Ness completed the City's job evaluations in 1999. He indicated it is logical to have Mr. Ness come in and re-evaluate this position. He noted Mr. Ness has indicated the job evaluation would not exceed \$200.00.

Moved by Councilmember Menard, seconded by Councilmember Nyenhuis, to authorize Paul Ness of Helping Minnesota Cities, Inc. to conduct a job evaluation of the Secretary/Receptionist position for a cost not to exceed \$200.00.

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

Voting against: None.

ADMINISTRATOR'S REPORT

**City Newsletter Distributed
Saturday, March 3, 2001**

Ken Hartung stated the City's Newsletter was distributed to residents on Saturday, March 3, 2001. He stated the goal of the City Council and the City is to have a Newsletter on a quarterly basis informing residents of the City's activities.

**Joint Planning Commission
City Council Meeting**

Ken Hartung stated this is a courtesy reminder to Councilmembers of a joint City Council/Planning Commission Meeting to be held on Monday, March 12, 2001 to review the Brown's Creek Watershed District's Second Generation Watershed Management Plan. He noted the City is in the process of reviewing the Brown's Creek Watershed District's Second Generation Watershed Management Plan because the City of Bayport has been included within the Brown's Creek Watershed District as of January 24, 2001 by the Minnesota Board of Water and Soil Resources ruling.

Warming House Closed

Ken Hartung stated starting tomorrow, Tuesday, March 6, 2001 the warming house will be closed for the season. He noted the warm weather and high angle of the sun has caused the ice to deteriorate significantly, making skating conditions poor.

ADJOURN

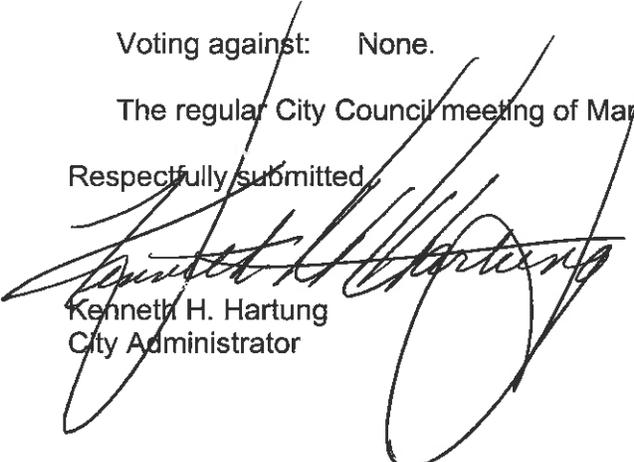
Moved by Councilmember Schultz, seconded by Councilmember Menard, to adjourn the City Council meeting of March 5, 2001.

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

Voting against: None.

The regular City Council meeting of March 5, 2001 was adjourned at 8:17 p.m.

Respectfully submitted,


Kenneth H. Hartung
City Administrator