

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 2, 2005
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of May 2, 2005, to order at 6:00 p.m., and asked Councilmembers, staff and the audience to join in pledging allegiance to the American Flag.

ROLL CALL

Members Present: Mayor Schneider, Councilmembers Carlson, Johnson, Nowaczek, and Ridgway

Members Absent: None

Others Present: Administrator McGuire, Administrative Assistant/Planner Dietsche, Attorney Domagala, Police Chief Gannaway, Public Works Supervisor Horak, and Engineer Peters

PROCLAMATIONS/COMMENDATIONS/PETITIONS

Mayor Schneider announced \$30.00 recycling awards for the month of April were given to Blake Anderson, Richard Iverson, and Gregory Schmidt.

OPEN FORUM

1. Councilmember Johnson reviewed plans for the September 16 & 17, 2005 Bayport Derby Days.
2. Mayor Schneider noted that the city's fire hydrants will be flushed during the week of May 16th.
3. Police Chief Gannaway stated that in conjunction with the June 11th clean-up day, a city-wide code and ordinance enforcement sweep began today in an effort to identify and correct code violations.

CONSENT AGENDA

Mayor Schneider read the list of items on the consent agenda. Councilmember Johnson introduced the following resolution and moved its adoption:

Resolution 05-15

**RESOLUTION, CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA,
APPROVING CONSENT AGENDA ITEMS 1- 8 FROM THE MAY 2, 2005 CITY
COUNCIL AGENDA**

1. April 4, 2005 City Council regular meeting minutes
2. April payables and receipts lists
3. April building, plumbing and mechanical permits
4. Lawful gambling activity at Woody's Bar and Grill
5. Park donation program
6. Hesley Jensen American Legion Post 491 Memorial Day parade donation
7. Purchase of fire department gear and equipment
8. Consider awarding a crack filling and thermal-patch contract for city streets

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

Rick Schneider – aye
Connie Carlson – aye
Dan Johnson – aye

Jon Nowaczek – aye
Sharon Ridgway – aye

PUBLIC HEARINGS – None

COUNCIL LIAISON REPORTS

Councilmember Ridgway reported the last Cable Commission meeting was cancelled due to a lack of quorum. The next meeting is scheduled for June 15, 2005, 7:00 p.m., at the Valley Ridge Plaza.

Councilmember Nowaczek reviewed the Bayport Library Board meeting of April 28, 2005. It was noted library circulation in March was the third highest in library history. The next meeting is scheduled for Thursday, May 26, 2005, 6:30 p.m. at the Bayport Public Library.

Councilmember Carlson reported the Middle St. Croix Watershed Management Organization (MSCWMO) met April 14, 2005. The bonding issue for the water-sewer project was discussed, as well as hiring an accountant for MSCWMO accounts payable on a three-month trial basis. The next meeting is scheduled for Thursday, May 12, 2005, 7:00 p.m., at Valley Ridge Plaza.

Councilmember Johnson had no report on the Lower St. Croix Partnership.

UNFINISHED BUSINESS

Continue discussion on city water system: Stephen Thompson, Minnesota Pollution Control Agency (MPCA) presented on the Baytown Superfund Site, including site history/investigation, remedial strategies at the pollutant source, and air stripping and carbon filtration options for the Bayport municipal water supply. Mr. Thompson reaffirmed that the MPCA would pay reasonable costs associated with a treatment system, once the TCE level exceeds 5.0 parts per billion (ppb). Discussion followed on air stripping versus carbon filtration, MPCA funding, taking action prior to the TCE level reaching the 5.0 ppb maximum contaminant level, and next steps, including a joint powers agreement with the MPCA. Councilmember Nowaczek recommended holding a city meeting on this topic. Staff will coordinate a meeting for the public, with representatives from the MPCA and the Minnesota Department of Health, within the next month.

NEW BUSINESS

Cory Meyer, Westwood Professional Services, Inc., presentation on city's master park plan: Administrator McGuire stated that there will be approximately \$1,000,000.00 in park dedication fees generated by development over the next few years. A citizen advisory board and city staff have been working with Westwood Professional Services since November 2004 to develop the concept plan presented tonight. Mr. Meyer reviewed the master park plans for Barker's Alps, Lakeside Park, and Perro Park. Citizen advisory board representatives and Mr. Meyer answered questions related to the concept plans. Staff will schedule a community meeting to present the plans and give residents an opportunity to ask questions.

It was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway to accept the report of the citizen advisory board. Motion carried.

Consider plans for the paving of Lakeside Park parking lot by Andersen Corporation: This item was withdrawn from the May 2, 2005 agenda.

Consider awarding the 2005 Building Asbestos Assessment Project: Three quotes were received for this project to provide asbestos inspection services for six municipal buildings that may be remodeled or demolished. Staff recommended awarding the project to the low quoter, All Phase Companies, Lakeland, Minnesota.

It was moved by Councilmember Carlson and seconded by Councilmember Nowaczek to award the 2005 Building Asbestos Assessment Project to All Phase Companies, Lakeland, Minnesota, in the amount of \$890.00. Motion carried.

Consider a request from Andersen Elementary School to expand north playground area: Administrator McGuire reviewed the request to allow an expansion of the school's north playground area, noting issues related to street right-of-way/lease agreement would need to be resolved. A variance for the fence height would also be required. Warren Buerkley, principal of Andersen Elementary School, responded to questions relating to current signage, fencing safety issues, and playground use by the public. The City Council directed staff to work with Andersen Elementary to proceed with the request.

Consider amendments to the city's zoning ordinance and zoning map: Administrative Assistant/Planner Dietsche reviewed the proposed amendments to the city's zoning ordinance and zoning map that will simplify zoning in the city and achieve consistency among the zoning ordinance and comprehensive plan. The Planning Commission recommended approval of the amendments at their April 18, 2005 meeting, with the condition that sections related to cluster development be eliminated and the B-1 district be named Limited Business. Staff recommended approval of the amendments.

Councilmember Nowaczek introduced the following ordinance and moved its adoption:

Ordinance 772

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY,
MINNESOTA, AMENDING APPENDIX B, ZONING, OF THE BAYPORT CITY CODE**

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

Rick Schneider – aye
Dan Johnson – aye
Sharon Ridgway – aye

Connie Carlson – aye
Jon Nowaczek – aye

Consider a request to extend city water to a portion of Baytown Township: Administrator McGuire reported that city staff, Baytown Township representatives and developers have met to explore the possibility of extending Bayport municipal water to new developments in Baytown Township. Staff recommended authorizing SEH to perform a feasibility study to explore extending water into the portion of Baytown Township immediately across Stagecoach Trail and to the south of the Bayport development, Inspiration. The study would be paid for by the developers. SEH believes the current municipal well system can handle this expansion. Sewer extension is not being explored because of the lack of density in the Baytown Township development.

It was moved by Councilmember Nowaczek and seconded by Councilmember Johnson to authorize the city administrator and city engineer to conduct a feasibility study to extend water service to the proposed Baytown Township developments, at the developers' expense. Motion carried.

COUNCIL ITEMS/ANNOUNCEMENTS – None

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

Councilmember Ridgway inquired on the sealing of abandoned well #1. Public Works Supervisor Horak reported the well had not previously been properly sealed and the project will be completed soon.

Councilmember Ridgway requested an update on adding orange flags to pedestrian crossing signs to raise awareness of the signs. City staff will look into the request and provide an update at the June meeting.

ADJOURN

It was moved by Councilmember Nowaczek and seconded by Councilmember Johnson to adjourn the meeting at 8:36 p.m. Motion carried.