

**CITY OF BAYPORT
CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
AUGUST 1, 2005
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice, Mayor Schneider called the regular City Council meeting of August 1, 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 Rick Schneider, Councilmembers Connie Carlson, Dan Johnson, Jon Nowaczek, and Sharon Ridgway

Members Absent: None

Others Present: Administrator Mike McGuire, Administrative Assistant/Planner Sara Dietsche, Attorney Laura Domagala, Police Officer Patrick Logan, and Engineer Barry Peters

PROCLAMATIONS/COMMENDATIONS/PETITIONS

1. Mayor Schneider read a proclamation on National Night Out to be held Tuesday, August 2, 2005, 6:00 p.m., at Lakeside Park. Police officer Logan reviewed the planned events and thanked Bayport's local sponsors.
2. Mayor Schneider announced \$30.00 recycling awards for the month of July were given to Kenneth Anderson, Laurie Richter, and Mitchell and Lori Papke.

OPEN FORUM

1. Councilmember Carlson addressed the citywide code and enforcement sweep that was held in conjunction with the free cleanup day in June.
2. Mayor Schneider announced registrations are still open for the Bayport Women's Open to be held Friday, August 5, 2005, 9:00 a.m., at the Stillwater Country Club.
3. Mayor Schneider addressed boat trailer parking at Lakeside Park.

CONSENT AGENDA

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

Resolution 05-19

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

1. July 11, 2005 City Council regular meeting minutes
2. July payables and receipts lists
3. July building, plumbing and mechanical permits
4. Grant of \$1000.00 from Saint Paul Foundation for fire department
5. Final payment to Tower Asphalt for Lakeside Drive improvements
6. Inspiration farmer's market
7. New city department credit card program
8. Designation of 2004 fund balance

The motion for adopting the foregoing resolution was duly seconded by Councilmember Johnson 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 Cable Commission did not meet in July. The next meeting will be held August 17, 2005, 7:00 p.m., at the Valley Ridge Mall.

Councilmember Nowaczek reviewed the Bayport Public Library Board meeting of July 28, 2005, at which the main topic of discussion was the 2005-2006 budget. He announced that author Lorna Lanvik will be visiting the library the evening of October 20th; her visit is co-sponsored by the Bayport Library Foundation and the reading club. The next meeting is scheduled for Thursday, August 25, 2005, 6:30 p.m., at the library.

Councilmember Carlson reported the Middle St. Croix Watershed Management Organization did not meet due to a lack of quorum. The next meeting is scheduled for August 11, 2005, 6:00 p.m., at Valley Ridge Mall.

Councilmember Johnson stated the need for citizen representation on the Cable Commission was reviewed at a recent Cable Commission work session. Dave Ness, Jr., 232 North 4th Street, volunteered to serve on this commission.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to appoint Dave Ness, Jr., as Bayport's citizen representative to the Cable Commission. Motion carried.

UNFINISHED BUSINESS - None

NEW BUSINESS

Presentation of 2004 city audit: City auditor, Peggy Moeller, reviewed the following components of the 2004 audit: annual financial report, audit management letter, report on internal control and compliance and other matters, and the state legal compliance report. A reportable condition regarding lack of segregation of accounting duties was identified, similar to past years, due to the size of our organization. The GASB 34 reporting changes were reviewed. Ms. Moeller answered a question regarding the 2004 county turn back funds.

It was moved by Councilmember Nowaczek and seconded by Councilmember Carlson to accept the audit and report for fiscal year 2003-2004. Motion carried.

Consider temporary on-sale liquor license and request for city assistance with Derby Days: Administrator McGuire reviewed the Derby Days Committee's requests for city assistance for the September 16 and 17, 2005 event and recommended approval. He noted there may be an additional request for a tractor pull at Barker's Alps Park, which would be brought to the September 6, 2005 City Council meeting, if necessary.

It was moved by Councilmember Nowaczek and seconded by Councilmember Ridgway that the City of Bayport support the Derby Days celebration as requested. Motion carried.

Consider response to park plan survey RFP and awarding project: Administrator McGuire reviewed the RFP responses for a boundary and topographic survey for city parks and recommended the project be awarded to BDM Consulting Engineers, PLC, at a cost not to exceed \$21,250.00. He explained these surveys are required prior to the anticipated renovation of Bayport's three city parks, and the project would be paid for by park dedication funds. Engineer Peters explained the type of information that would be included in the surveys.

It was moved by Councilmember Carlson and seconded by Councilmember Nowaczek to award the boundary and topographic survey for city parks project to BDM Consulting Engineers, PLC, Eagan, Minnesota, at a cost not to exceed \$21,250.00. Motion carried.

Consider property line adjustment between Lakeside Park and Beach House Marina: Attorney Domagala reviewed the background of this property line adjustment request, noting both parties have property line encroachment issues. City staff recommended the exchange of two small parcels of land of equal size to correct these issues. There will be no cost to the city as the owner, Ron Shelton, will be responsible for all costs associated with the project. Brian Shelton, Beach House Marina, answered questions regarding their proposed fencing and screening.

Councilmember Nowaczek introduced the following resolution and moved its adoption:

Resolution 05-20

RESOLUTION AUTHORIZING A PARCEL EXCHANGE TO OBTAIN A PROPERTY LINE ADJUSTMENT TO THE NORTHERN BOUNDARY OF LAKESIDE PARK, IN THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA

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

Consider preliminary feasibility report and authorize preparation of plans and specifications for ground storage reservoir in Baytown Township: Engineer Peters reviewed the Bayport/Baytown Township Water Improvements Feasibility Report and plans for a ground storage reservoir in Baytown Township, noting developers in Baytown Township have requested connecting to Bayport's water system, in conjunction with the Inspiration development. The estimated \$1,822,549.00 project cost will be shared between the developers. The plans and specifications would be brought back for approval at the September 6, 2005 City Council meeting, if the feasibility report and authorization to prepare the plans and specifications are approved. Discussion followed on the city's wells having adequate capacity to supply water to Baytown Township, and Inspiration utilizing the shared ground reservoir versus an on-site elevated storage tank.

It was moved by Councilmember Johnson and seconded by Councilmember Nowaczek to approve the preliminary feasibility report from SEH and authorize preparation of plans and specifications for a ground storage reservoir in Baytown Township. Motion carried.

Consider joint powers agreement to extend municipal water to Baytown Township: Attorney Domagala reviewed a draft joint powers agreement between Bayport and Baytown Township to extend Bayport's municipal water services to properties in Baytown Township. The developers in Baytown benefiting from the extension would bear all fees and costs. Baytown Township is requesting that once the water system is constructed, that ownership be maintained by them and not the City of Bayport. Baytown charges a \$1,000.00 park dedication fee, and it has been recommended that 75% be returned to the City of Bayport, due to the anticipated use by township residents. A termination paragraph will be added to the agreement. Discussion followed on ownership of the water equipment/service.

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to continue consideration of the joint powers agreement to extend municipal water to Baytown Township to the September 6, 2005 meeting, and to instruct staff to work out the identified issues. Motion carried.

COUNCIL ITEMS/ANNOUNCEMENTS – None

ADMINISTRATOR/STAFF ITEMS AND ANNOUNCEMENTS

1. Update on water system: Results from the Minnesota Department of Health's July 27th water testing will be available in 2-3 weeks and will be reported on at the next meeting.
2. Update on neighborhood meeting regarding extension of municipal sewer and water to a south portion of Bayport: City staff met with approximately 20 property owners on July 26, 2005, to review the results of the feasibility study and gather input. There was no clear consensus on which direction to proceed, and residents were requested to forward their comments to Administrator McGuire prior to the September 6, 2005 City Council meeting. A public hearing would be scheduled for October, if it is recommended to proceed with the project.
3. Preview of 2006 city budget: Administrator McGuire provided a verbal preliminary report on next year's budget. Preliminary budget information will be available for review in a couple of weeks.

ADJOURN

It was moved by Councilmember Johnson and seconded by Councilmember Carlson to adjourn the meeting at 7:43 p.m. Motion carried.