

**BAXTER CITY COUNCIL MINUTES**  
**Work Session**  
**September 6, 2016**

Mayor Darrel Olson called the Work Session to order at 5:45 p.m.

COUNCIL MEMBERS PRESENT: Mayor Darrel Olson, Council Members Quinn Nystrom, Steve Barrows, Todd Holman and Mark Cross.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Interim City Administrator Kelly Steele, Community Development Director Josh Doty, Finance Director Jeremy Vacinek, and Public Works Director Trevor Walter.

**STS AGREEMENT**

Interim Administrator Steele stated in November of 2007 the City entered into a three year lease agreement with the Minnesota Department of Corrections and Crow Wing County Sheriff's Office.

The lease provides space in the Public Works Facility for Sentence to Serve to store some equipment in the building. The lease agreement provides for renewal options and the City has received notice from the State of Minnesota that they would like to enter into the next two year renewal option, which would run from December 1, 2016 through November 30, 2018.

Staff has discussed this renewal and has no concerns with the renewal at this time. In the future the City may need to review this agreement since the City is growing and acquiring more equipment and the space being used may be necessary for city purposes.

Interim Administrator Steele stated there is no guarantee the City will continue to receive the same level of service that is currently being provided due to changes in management. Mayor Olson and the City Council had no concerns with continuing the agreement.

**2018 CYPRESS DRIVE IMPROVEMENTS PROJECT FROM COLLEGE ROAD TO EXCELSIOR ROAD**

SEH Consulting Engineer Hedlund introduced environmental specialist Al Sunderman and railroad specialist Dave McKenzie. Mr. Hedlund and staff have been working on the Cypress Drive project for over the past 10 years.

Mr. Hedlund gave an update of the project history and handed out a schedule that was provided in the packet. Mr. Hedlund explained that in order to keep the project on schedule for construction in 2018, design, environmental, and railroad agreement work needs to resume immediately on this project. The tasks are time sensitive, time specific, and have sequencing interdependencies.

The City has \$677,509.00 in secured Federal Funds programmed for 2018. If the project is not constructed in 2018, \$195,185.00 of the total will be lost and the other \$482,324.00 may be lost, per recent discussions with MNDOT.

Over the last couple of years, design has been put on hold while SEH and the City negotiated with BNSF, with assistance from the MNDOT Railroad office, to obtain consent to create a new highway/railroad at grade crossing at Cypress Drive.

BNSF has advised they prefer to move into the process of executing a formal BNSF Construction and Maintenance Agreement (CMA). The CMA process requires detailed design and right of way information for the Cypress Drive corridor across BNSF property including construction requirements, cost splits, and environmental considerations.

Finalizing the preliminary design and completing Environmental Site Assessments are necessary to execute the CMA, as well as for completing Federal Funding environmental review so right of way acquisition can commence hence the urgency to resume work immediately.

Council Member Holman inquired on the detailed design and if there will be opportunity to look at the design? Mr. Hedlund stated he will bring in the big preliminary roll drawings. Council Member Holman inquired if there is an opportunity for the Utilities Commission and residents to see the final design? Mr. Hedlund stated a public informational meeting can be worked into the schedule should the project move forward.

Public Works Director/City Engineer Walter stated the biggest concern of the Utilities Commission was if MnDOT would approve the crossing.

### **2016 FAIRVIEW ROAD IMPROVEMENTS PROJECT CONSTRUCTION SERVICES FEE INCREASE REQUEST**

SEH Consulting Engineer Hedlund reviewed the construction services fee increase request.

Construction observation for private utilities started prior to and independently of the Anderson Brothers Construction start date. Typically only the general contractor is observed by the field inspector, however, the utility relocating company was also inspected. Utility relocate were not completed until July.

Construction observation of Anderson Brothers Construction contract work was estimated at 40 hours per week for 11 weeks, but the projected average weekly for the necessary coverage was 50 hours per week. SEH staff had been requested by the City to be on-site for these hours.

Mr. Hedlund stated it was a very complicated project and the removal of an existing abandoned asbestos covered steel gas pipe needed to have a full time inspector on site during this process because of compaction issues under the street and contamination of the class 5 base material.

Council Member Nystrom inquired why does the expense of the additional hours inspecting the utility company come to the city. Mr. Hedlund stated that it's a quality assurance to the city.

Public Works Director/City Engineer Walter stated that utility permits are routed through the department. These permits are normally only one or two day project and are inspected by staff and this was a two month project. Mr. Walter stated the removal of an existing abandoned asbestos covered steel gas pipe was in the best interest of the City to completely remove the potentially hazardous material.

Council Member Holman inquired if the cost full within the entire cost of the project? Mr. Walter stated it was covered although contingencies are tight.

Council Member Barrows inquired if we are logging the abandoned lines so in the future the next group digging knows what is underground? Mr. Walter stated the abandoned lines are not shown on the City's as-builts; however, the utility companies are supposed to keep track of the lines which most likely do not occur.

Mr. Walter stated an hourly inspection fee for utility relocation inspection could be added. Mayor Olson inquired if staff can make comments related to these matters in our own house notes. Mr. Walter stated notes could be added to the as-builts.

### **2016 GOLF COURSE DRIVE PROJECT CHANGE ORDER NO. 1**

Bolton & Menk Consulting Engineer Rardin reviewed Change Order No. 1 which addressed the following items:

- Change in contract time. September 30 was the original substantial completion date and the contractor is asking for one additional week. This will not change the final completion date.
- Addition of erosion control items and the added protection of 773 feet of Bioroll around the Johnson Pond.
- Additional cost associated with addressing three watermain relocations.

Mayor Olson inquired if the project was far enough along to say whether there would be any additional change orders? Mr. Rardin stated the concrete work would be completed on Wednesday and the bituminous base on Thursday and the project will be water tight at that point. He is aware of some changes that will be addressed shortly but contingencies will cover these items.

### **LIFT STATION NO. 8 RECONSTRUCTION PROJECT CHANGE ORDER NO. 1**

WSN Consulting Engineer Welch reviewed the Lift Station No. 8 Reconstruction Project Change Order No. 1 for additional site work for safety which included grading and bituminous driveway improvement.

### **ADJOURNMENT**

**MOTION** by Council Member Cross, seconded by Council Member Barrow to adjourn at 6:27 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Mary Haugen  
Administrative Assistant