

UTILITIES COMMISSION

February 8, 2017

The regular meeting of the Baxter Utilities Commission was called to order at 5:30 p.m. by Chairman Rock Yliniemi.

MEMBERS PRESENT: Commissioners Jack Christofferson, Shawn Crochet, Dave Franzen, Council Liaison Mark Cross and Chairman Rock Yliniemi.

MEMBERS ABSENT: Commissioner Doug Wolf.

STAFF PRESENT: Public Works Director/City Engineer Trevor Walter and Administrative Assistant Mary Haugen.

OTHERS PRESENT: WSN Consulting Engineer Aric Welch, SEH Consulting Engineer Scott Hedlund, WSB Consulting Engineer Chuck Rickart and Chris Sonmor, Bolton & Menk Consulting Engineer Bryan Drown and KLM Consulting Engineer Shawn Mulhern.

APPROVAL OF MINUTES

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to approve the Utilities Commission minutes of January 4, 2017. Motion carried unanimously.

KLM ENGINEERING, INC. MEMO ON THE 2018 NORTH WATER TOWER REHABILITATION PROJECT

KLM Engineering President/Owner Shawn Mulhern gave a brief overview of his company and his professional staff. KLM Engineering, Inc. is a specialized firm that deals with water tower and employs eight NACE Coatings Inspectors and has the largest support staff for water inspection services in the 5-state area.

Mr. Mulhern reviewed the existing conditions per the inspection report of the North Water Tower. The tower was originally constructed in 1997 and the coatings are 20 years old and have reached the end its life expectancy.

Mr. Mulhern reviewed conventional bid and design build with the commission. Design build projects bring together key components from all aspects of the project when the owner, engineer, and contractor all work together. Design build allows the City, KLM, and the contractor to streamline the reconditioning and control the process with a team approach and more choices. This allows work to be performed at a reasonable rate, with known quality of workmanship and expectations.

The commission held an extensive discussion on the water tower structure, necessary repairs and the antenna network system that is on the tower. Mr. Mulhern stated that notifications to the antenna providers will be one of the main concerns with the project since the companies will need time to set up removal and reinstallation of their equipment. Mr. Mulhern recommends a one year notification to the antenna providers before any work starts in order to give them time to put together a formal work plan.

The Utilities Commission and staff recognize the City's Requests for Proposals Policy; however, the Commission and staff believe it to be in the best interest of the City to deviate from the schedule and threshold established within this policy due to the complex nature of rehabilitating water towers.

The Commission requested that Mr. Mulhern bring both a conventional bid proposal and design build proposal back to the Utilities Commission on March 8th as the Commission would like to see both cost options for the project.

MOTION by Commissioner Christofferson, seconded by Commissioner Crochet to recommend City Council request KLM Engineering, Inc. return to the March 8, 2017 Utilities Commission meeting with both a conventional bid and design build engineering proposal for the 2018 North Water Tower Rehabilitation Improvements Projects. Motion carried unanimously.

KLM ENGINEERING, INC. ELEVATED NORTH WATER TANK INSPECTION REPORT

KLM Engineering President/Owner Shawn Mulhern reviewed the KLM Engineering North Water Tank Inspection Report with the commission.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council accept the KLM Engineering, Inc. Elevated North Water Tank Inspection Report. Motion carried unanimously.

LAKES AREA GROWERS MARKET CONDITIONAL USE PERMIT

Public Works Director/City Engineer Walter informed the commission that he had no concerns with the Lakes Area Growers Market since there is an existing signalized intersection at TH 210 and Golf Course Drive and no existing traffic flow issues at the proposed site location.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to advise the Planning & Zoning Commission they have no concerns with the Lakes Area Growers Market Conditional Use Permit. Motion carried unanimously.

FIRST ADDITION TO PINE GROVE ESTATES PRELIMINARY & FINAL PLAT

Public Works Director/City Engineer Walter reviewed the plans showing one sanitary sewer main line with clean outs to the building instead of individual sanitary sewer main lines to each townhome. Commissioner Christofferson inquired if there was any concern over sanitary sewer backup and that individual lines are a protection for the future of the building if it were split into condominiums which would require individual sewer services.

Public Works Director/City Engineer Walter stated a deed restriction can be placed on the townhomes as protection for the future so that the building cannot be split into owner owned townhomes which requires individual sewer services. Kuepers Representative Chris Raimann stated he had no concerns with the deed restriction being added to the developer's agreement

since this was how Sprucewood Townhomes had been constructed and they have no intentions of ever making them into owner owned condominiums.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to advise the Planning & Zoning Commission they have no concerns with the First Addition to Pine Grove Estates Plat with the condition that no building permits for Phase 1, Phase 2 and Phase 4 will be issued by the City until a Developer's Agreement is executed for each phase by the Developer and require a deed restriction to Phase 4 that states the townhomes cannot be owner owned condominiums. Motion carried unanimously.

PINE GROVE ESTATES STORMWATER MANAGEMENT PLAN

Public Works Director/City Engineer Walter informed the commission that he had no concerns with the stormwater management plan since the design allows for phasing treatment of the storm water and meets the 100-year requirements. The Commission did raise the question of protecting the storm water pond locations from compaction during construction.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Pine Grove Estates 100-Year Stormwater Management Plan. Motion carried unanimously.

PINE GROVE ESTATES STORMWATER POLLUTION PREVENTION PLAN

Public Works Director/City Engineer Walter informed the commission that he had no concerns with the storm water pollution prevention plan but would like to add a condition that no stockpiling of materials or placing of construction equipment and materials will be allowed in the storm water ponding areas during construction in order to avoid compaction of the pond bottoms.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to recommend City Council approve the Pine Grove Estates Stormwater Pollution Prevention Plan contingent that no stockpiling of materials, placement of construction equipment and construction materials will be allowed in the storm water ponding areas. Motion carried unanimously.

PINE GROVE ESTATES CIVIL PLAN

Public Works Director/City Engineer Walter informed the commission that a final review is being completed by Engineering Technician Doug Schultz and recommend approval of the plans contingent on final approval from the Public Works Director/City Engineer.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve the Pine Grove Estates Civil Plans contingent on final approval from the Public Works Director/City Engineer and require a Developer's Agreement for the Phase 1 Improvements. Motion carried unanimously.

PROGRESSIVE CONSULTING ENGINEERS POLYMER FEED SYSTEM PILOT TESTING PROPOSAL

Public Works Director/City Engineer Walter informed the commission that both the test piloting of the polymer feed system and flume proposal are for the water treatment process but within different phases of the treatment process.

Progressive Consulting Engineers will conduct this pilot testing over a 24 hour period and run both tests back to back in order to save engineering costs. Mr. Walter has no concerns with this proposal and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Progressive Consulting Engineers Polymer Feed System Pilot Testing Proposal in the not to exceed amount of \$8,000.00. Motion carried unanimously.

PROGRESSIVE CONSULTING ENGINEERS PROPOSAL FOR ENGINEERING SERVICES FOR THE 2018 FLUME INSTALLATION AT THE WATER TREATMENT PLANT

Public Works Director/City Engineer Walter informed the commission that both the polymer feed system and flume proposal are for the water treatment process but within different phases of the treatment process.

The Commission reviewed the proposed schedule for the project and in order to construct in January and February of 2018 the project must start early in 2017 to meet all milestones.

The Utilities Commission and staff recognize the City's Requests for Proposals Policy; however, the Commission and staff believes it to be in the best interest of the City to deviate from the schedule and threshold established within this policy due to the complex nature of the Water Treatment Plant. Progressive Consulting Engineers is a specialized firm that deals with water quality issues with Water Treatment Plants and was the firm that identified the existing issues at the facility.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the Progressive Consulting Engineers Proposal for Engineering Services for the 2018 Flume Installation at the Water Treatment Plant in the not to exceed amount of \$45,000.00. Motion carried unanimously.

2017 CHIP SEALING IMPROVEMENTS PROJECT UPDATE

Bolton & Menk Consulting Engineer Drown reviewed the 10.5 miles of streets and 1.5 miles of city trails to be done in 2017. Elder Drive was included in the project because of the new turn lane construction prior to the seal coating project.

Chairman Yliniemi expressed concern over the stripping that is occurring on Knollwood Drive by Forestview Middle School and Cedar Scenic Drive. Public Works Director/City Engineer Walter stated both he and the project engineer are researching the cause and how to repair the pavement. Mr. Drown reminded the commission that in perspective to the 19 mile of chip sealing that has been done the last 3 years that this is less than 1,000 lineal feet of stripping.

The commission discussed whether the program should be cancelled or delayed. Council Liaison Cross stated the City Council is firmly behind the Chip Sealing Program since it extends the overall life of the pavement and the program should continue as scheduled.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council adopt a resolution approving the Plans and Specification for the 2017 Chip Sealing Improvements Project and direct staff to bid the project. Motion carried unanimously.

BOLTON & MENK PROPOSAL FOR ENGINEERING SERVICES – 2017 PAVEMENT MANAGEMENT PROGRAM ASSISTANCE

Bolton & Menk Consulting Engineer Drown reviewed the 2017 Pavement Management Program Assistance for ongoing services. Mr. Walter had no concerns with this proposal and recommend approval.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the Bolton & Menk Proposal for Engineering Services for the 2017 Pavement Management Program Assistance in the not to exceed amount of \$12,500.00. Motion carried unanimously.

2017 ELDER DRIVE IMPROVEMENTS

WSB Consulting Engineer Sonmor reviewed the 2017 Elder Drive Improvement Plans and Specifications. The plans and specifications are for the proposed HJ Development. This section of roadway is included in the 2017 seal coating improvements project.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council adopt a resolution approving the Plans and Specification for the 2017 Elder Drive Improvements Project and direct staff to bid the project. Motion carried unanimously.

WSB PROPOSAL FOR ENGINEERING SERVICES FOR THE 2017 WHISKEY CREEK WATER QUALITY GRANT PROPOSAL AND PARTNER COORDINATION PROJECT

Public Works Director/City Engineer Walter requested the commission table the proposal since the City is considering moving the project from 2017 to 2018.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to table the WSB Proposal for Engineering Services for the 2017 Whiskey Creek Water Quality Grant Proposal and Partner Coordination Project since the City is considering moving the project from 2017 to 2018.

BILL LUDENIA APPRAISALS QUOTE ON PARCELS 25, 36, 38 AND 43 FOR THE 2018 CYPRESS DRIVE IMPROVEMENTS PROJECT

Public Works Director/City Engineer Walter reviewed the appraisal quote for Parcels 25, 36, 38 and 43 from Bill Ludenia for the 2018 Cypress Drive Improvements Project.

Public Works Director/City Engineer Walter stated this would start the process for parcels needed for right-of-way and storm water pond acquisition and more appraisals are needed for the entire project.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Bill Ludenia Appraisals Quote on Parcels 25, 36, 38 and 43 for the 2018 Cypress Drive Improvements Project in the lump sum amount of \$5,400.00. Motion carried unanimously.

2018 CYPRESS DRIVE IMPROVEMENTS PROJECT MONTHLY STATUS UPDATE AND MEMO FOR THE 30% PLANS, PRELIMINARY OPINION OF PROBABLE COST AND PRELIMINARY RIGHT-OF-WAY NEEDS SUBMITTAL FOR THE 2018 CYPRESS DRIVE IMPROVEMENTS PROJECT

SEH Consulting Engineer Hedlund gave a brief update on the 2018 Cypress Drive Improvements Project regarding preliminary design, railroad agreements, environmental site assessments and sanitary and storm sewer televising and review.

SEH PROPOSAL FOR ENGINEERING SERVICES FOR THE FEASIBILITY REPORT, FINAL DESIGN , RIGHT-OF-WAY ACQUISITION AND BIDDING FOR THE 2018 CYPRESS DRIVE IMPROVEMENTS PROJECT

SEH Consulting Engineer Hedlund reviewed the professional services contract for Feasibility Report, final design, right-of-way acquisition and bidding.

Public Works Director/City Engineer Walter reminded the commission this is a very complicated project with environmental concerns due to the Superfund Site and additional engineering contracts may be needed as the project moves forward.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve the SEH Contract for Engineering Services for the Feasibility Report, Final Design, Right-of-Way Acquisition and Bidding for the 2018 Cypress Drive Improvements Project in the not to exceed amount of \$425,095.00. Motion carried unanimously.

2015 DELLWOOD DRIVE AND NOVOTNY ROAD, INGLEWOOD DRIVE AND INDEPENDENCE ROAD IMPROVEMENTS PROJECT MONTHLY UPDATE

WSN Consulting Engineer Welch reviewed the project update with the commission.

Work Completed Since Last Update

No work was completed since the last update.

Project Schedule

Address warranty items as needed.

Easements

No new information to report regarding the utility easement across the Pearo, Wicklund and Positive Realty properties. We will continue to work with these property owners to get these easements signed and recorded.

Changes

No additional information associated with the claim regarding work around underground utilities has been submitted by the Contractor as requested.

Pay Estimate

No pay estimate this month.

Potential Law Suit

There is no new information to report on the issue between RL Larson and their subcontractor regarding the directionally drilled watermain between Novotny Road and Audubon Way.

2017 EXCELSIOR ROAD, FAIRVIEW ROAD AND EDGEWOOD DRIVE IMPROVEMENTS PROJECT MONTHLY UPDATE

WSB Consulting Engineer Rickart gave a brief review on the design and construction of Excelsior Road commercial area. Currently, the project is approximately one month behind schedule; however for the project to continue development will need to occur on the former Fruth Beverage Site.

2017 EXCELSIOR ROAD RESIDENTIAL ROADWAY IMPROVEMENTS MONTHLY UPDATE

WSN Consulting Engineer Welch gave a brief update on the project from the public hearing held on February 2, 2017. Mr. Welch reviewed Option No. 3 which included improvements to Grand Oaks Drive which would include the removal of the existing right turn lane. Construction of a 12' wide separated bituminous trail along the west side of Grand Oaks Drive from Excelsior Road to the existing trail. Mr. Welch explained that 7' of additional right-of-way acquisition will be necessary to accommodate the separated trail.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve proceeding forward with Option No. 3 for the 2017 Excelsior Road Residential Roadway Improvements Project which includes improvements to Grand Oaks Drive for a bike and pedestrian trail connection. Motion carried unanimously.

WSN PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR THE FIRST ANNUAL WATER AUDIT IMPLEMENTATION PROJECT

WSN Consulting Engineer Welch reviewed the WSN Proposal for an annual water audit and leak detention study. The audit will be in accordance with the American Water Works Association water audit and leak control program. This audit will provide the City with a summary report of loss revenue from system leaks, gaps in record keeping and unauthorized consumption.

After completion of the audit WSN will provide the City with all templates and spreadsheets utilized to complete the future water audits without consultant assistance.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to recommend City Council approve the WSN Proposal for Professional Engineering Services for the first Annual Water Audit Implementation Project in the lump sum of \$7,600.00. Motion carried unanimously.

COLLEGE ROAD AND CYPRESS DRIVE TURN LANE IMPROVEMENTS PROJECT UPDATE

WSN Consulting Engineer Welch reviewed the Crow Wing Power Invoice for private utility relocation work completed on College Road for the Cypress Drive turn lane project. Originally the estimated cost was \$20,000.00 but there were additional labor hours and rates, equipment hours and rates, materials and subcontractor costs.

The invoice submitted has been reviewed for accuracy of dates and time. WSN recommends payment of the Crow Wing Power relocation costs.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Crow Wing Power Utility Relocation Invoice for the 2016 College Road and Cypress Drive Turn Lane Improvements Project in the amount of \$29,769.59. Motion carried unanimously.

RFP FOR ENGINEERING SERVICES FOR THE 2017 MILL & OVERLAY/FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT

Public Works Director/City Engineer Walter informed the commission that the RFP for Engineering Services was provided as information only. Due to scheduling of the project the RFP recommendation to award contract was taken directly to City Council for approval.

20 YEAR LIFT STATION MAINTENANCE PLAN UPDATE (2017 – 2037) FOR THE SANITARY SEWER LIFT STATIONS

WSN Consulting Engineer Welch reviewed the updated lift station maintenance plan for 2017 – 2037. Public Works Director/City Engineer Walter stated the plan is used for budgetary purposes each year and is a very useful tool.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve the 20 Year Lift Station Maintenance Plan Update (2017 – 2037) for the Sanitary Sewer Lift Stations. Motion carried unanimously.

SOUTH FORESTVIEW STORM WATER OUTLET FEASIBILITY STUDY

WSN Consulting Engineer Welch informed the commission the study looks at the feasibility of constructing a stormwater overflow for the wetland complex located in the southeast corner of the intersection of Scenic River Drive and Highland Scenic Road.

Mr. Welch reviewed two options for maintaining the wetland water level:

- Option 1 would improve the existing ditches out to Scenic River Drive piping the water into a new stormwater basin and then piping the water from the basin out to the river.
- Option 2 would install piping down to a new stormwater treatment basin, then piping the water from the basin out to the river.

The commission held an extensive discussion on stormwater concerns of the area and the benefit to the existing Industrial Park area and what option would provide better treatment before it is released to the river.

The Commission felt that delineating the wetland and figuring out the over flow elevation should be completed in the spring of 2017. The Commission would also like to see the drainage area delineated and possibly to model the area for storm water runoff in 2017 if the Storm Water budget allows. The Commission would then recommend updating the feasibility report in order to show an area wide assessment based on the total delineated area of runoff for the entire system as a per acre assessment of benefitted area in order to pay for the project.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to recommend City Council accept the South Forestview Storm Water Outlet Feasibility Study. Motion carried unanimously.

WSN PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR THE INGLEWOOD DRIVE RAILWAY CROSSING AND ASSOCIATED ROADWAY IMPROVEMENTS FEASIBILITY STUDY UPDATE

WSN Consulting Engineer Welch reviewed the proposal to update and prepare a feasibility study for the Inglewood Drive Railway Crossing and associated roadway improvements to Foley Road, Forthun Road, Isle Drive and Knollwood Drive.

The project is currently scheduled for construction in 2021 and will consist of improvements to the following:

- Inglewood Drive - TH 210 to Foley Road
 - TH 210 Intersection and signal improvements.
 - Urban roadway extension from TH 210 to Foley Road.
 - Separated bituminous trail improvements.
 - Railway crossing meeting silent crossing requirements.
 - Right-of-way acquisition from BNSF.
 - Full depth reclamation improvements on remainder of Foley Road from CSAH 48 to Forthun Road (scheduled as part of Pavement Management Plan).
- Forthun Road / Isle Drive Intersection
 - Reconfiguration of the Forthun Road / Isle Drive intersection, connecting the two roadways with a curve to allow through traffic flow. The portion of existing Forthun Road east of Isle Drive would be re- aligned to a perpendicular connection.
 - Reconfiguration of municipal storm sewer network in conjunction with the roadway reconfiguration.

- Reconfiguration of municipal sewer and water mains and services in conjunction with the roadway reconfiguration.
- Foley Road - CSAH 48 to Forthun Road
 - Sanitary sewer extension along Foley Road from 630' west of Inglewood Drive to Animal Care Center.
 - Water distribution improvements along Foley Road from 630' west of Inglewood Drive to Forthun Road.
 - Inglewood Drive intersection and turn lane improvements.
 - Roadway realignment at Inglewood Drive intersection.
 - Roadway realignment at Knollwood Drive intersection.
 - Urban roadway and bituminous trail reconstruction.
- Knollwood Drive - TH 210 to Foley Road
 - TH 210 intersection closure and signal removal.
 - Removal of Knollwood Drive from TH 210 to Foley Road.
 - Railway crossing removal.

The proposed scope of services is as follows:

Feasibility Study

WSN proposes to complete a feasibility study meeting the requirements of the Minnesota Chapter 429 assessment process. Specific items included with this proposal are:

- Research of existing documents and studies
- Preparation of preliminary study exhibits
- Preparation of preliminary property acquisition exhibit
- Estimated preliminary quantities
- Preparation of preliminary cost estimates and assessment calculations
- Preparation of draft feasibility study that includes a review of existing conditions, proposed improvements, estimated project costs, project implementation and discussion of conclusions and recommendations
- Review preliminary study with City staff and Council
- Prepare and submit final study based on City review comments

WSN proposes to perform the services described above on an hourly basis for the Not to Exceed amount of \$10,470.00.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the WSN Agreement for Professional Engineering Services for the Inglewood Drive Railway Crossing and Associated Roadway Improvements Feasibility Study Update in the not to exceed amount of \$10,470.00. Motion carried unanimously.

YEAR-END 2016 ROAD STATUS UPDATE – MSAS MILEAGE CERTIFICATIONS

The Yearend 2016 Road Status Update for the MSAS Mileage Certification was submitted as information only.

THEIN WELL INSPECTION REPORT

The Thein Wells annual inspection report for the wells and pumps was submitted to the Utilities Commission as information only.

Thein Well noted the flow on Well No. 2R was down approximately 100 gallons per minute from last year and recommended the pump be pulled for further investigation as to the loss of flow.

Public Works Director/City Engineer Walter informed the commission that Staff is currently working on a quote from Thein Wells to come to Baxter and pull the pump from Well No. 2R and to investigate the problems and hopefully fix the issue.

WASTEWATER TREATMENT PLANT CHARGES FOR DECEMBER 2016 AND JANUARY 2017

The Brainerd Public Utilities Wastewater Plant Charges for December 2016 and January 2017 were submitted to the commission as information only.

CROW WING POWER BOARD OF DIRECTORS LETTER

The Crow Wing Power Board of Directors letter was submitted to the commission as information only.

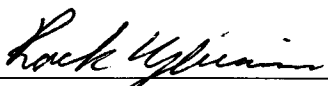
WOIDA ROAD AND EDGEWOOD DRIVE INTERSECTION LETTER

The Woida Road and Edgewood Drive intersection letter was submitted to the commission as information only. The letter was from a local concerned citizen that stated several issues at the intersection that they have observed. WSB Consulting Engineer Rickart had been informed of the letter and did discuss the outstanding issues with the Commission. The Commission did not request any action on the letter at this time.

ADJOURNMENT

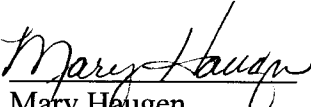
MOTION by Commissioner Franzen, seconded by Commissioner Crochet to adjourn the meeting at 8:50 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi
Chairman

Submitted by:



Mary Haugen
Administrative Assistant