

UTILITIES COMMISSION
April 2, 2014

The regular meeting of the Baxter Utilities Commission was called to order at 4:00 p.m. by Chairman Rock Yliniemi.

MEMBERS PRESENT: Commissioners Shawn Crochet, Dave Franzen, Bruce Klopfleisch, Council Liaison Rob Moser, and Chairman Rock Yliniemi.

MEMBERS ABSENT: None.

STAFF PRESENT: Community Development Director Josh Doty, Public Works Director/City Engineer Trevor Walter and Administrative Assistant Mary Haugen.

OTHERS PRESENT: Mark Cross and WSN Consulting Engineer Aric Welch.

APPROVAL OF MINUTES

MOTION by Commissioner Franzen, seconded by Commissioner Klopfleisch to approve the Utilities Commission minutes of March 5, 2014. Motion carried unanimously.

PINE GROVE ESTATES REZONING REQUEST FORM C2 COMMERCIAL TO R3

Public Works Director/City Engineer Walter reviewed the Pine Grove Estates rezoning request. The developer has requested to consolidate four lots into two lots and allow the construction of a two apartment buildings on Clearwater Road.

Public Works Director/City Engineer Walter expressed concern over access management and turn lanes on Clearwater Road as C-2 and R-3 development occurs between Forest Drive and Trunk Highway 371. WSB & Associates provided a Traffic Study Proposal for Clearwater Road from Forest Drive to T.H. 371. The purpose of the study will be to document the impact the proposed development/redevelopment has on the area traffic operations, site access, need for turn lanes/right-of-way and pedestrian accommodations.

Kuepers Representative Mark Cross reviewed the proposed Pine Grove Estates consisting of two 35-unit apartments. Mr. Cross informed the commission that this property was the former Sprucewood Townhomes site which was relocated due to tax increment financing.

The developer has requested to rezone the property from C2 Commercial to R3 contingent on financing of the project.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Franzen to recommend City Council consider approving the WSB Clearwater Road Traffic Study in the amount of \$8,826.00. Motion carried unanimously.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission recommends the City conduct a

UTILITIES COMMISSION – 04/02/14

traffic study on Clearwater Road from Forest Drive to Trunk Highway 371 before proceeding with the rezoning request.

Discussion:

Council Liaison Moser inquired if there would be any impacts to the development with the changes to the City's Comprehensive Plan. Community Development Director Doty stated that recent discussions by City Council on the Comp Plan were related to access management plans; however, the budget does not include a city wide traffic analysis to be included in the current Comp Plan amendment.

Motion carried unanimously.

PINE GROVE ESTATES MINOR SUBDIVISION PLAT

The commission reviewed the Pine Grove Estates Minor Subdivision which shows the additional 7-feet of road right-of-way on Clearwater Road.

MOTION by Commissioner Klopfeisch, seconded by Commissioner Franzen to advise the Planning and Zoning Commission that the Utilities Commission recommends the City conduct a traffic study on Clearwater Road from Forest Drive to Trunk Highway 371 before proceeding with the Minor Subdivision Plat of Pine Grove Estates. Motion carried unanimously.

CONDITIONAL USE PERMIT AMENDMENT/PLANNED UNIT DEVELOPMENT FOR CYPRESS PHASE III

Public Works Director/City Engineer Walter reviewed the Conditional Use Permit for a planned unit development amendment to allow two, six-unit rental buildings in place of a 50 unit apartment building.

This development has sanitary sewer and water connections that would handle a 50 unit apartment building, stormwater has accounted for in the Industrial Park Phase III Stormwater Pond and there will be no change in current access points onto Cypress Drive.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend advising the Planning and Zoning Commission that the Utilities Commission has no concerns with the Conditional Use Permit Amendment for the Planned Unit Development for Cypress Drive Phase III. Motion carried unanimously.

FALCON DRIVE PRELIMINARY COST ESTIMATE AND DISCUSSION

Public Works Director/City Engineer Walter gave a brief overview of the project and informed the commission that a parcel in the project area has been tax forfeited. This will change the dynamics of the project since it will now require the full Chapter 429 process with all public hearings and a full feasibility study to be conducted.

City Consulting Engineer Welch presented an amendment to their existing agreement for Falcon Drive. The amendment is for preparation and submission of a Feasibility Study, which is now

UTILITIES COMMISSION – 04/02/14

required due to property ownership transfer. The scope of additional services includes the following:

Preparation of Feasibility Study/Letter

- Review existing conditions
- Propose feasible improvements and alternatives
- Presentation of estimated costs and assessments
- Recommendation for proposed improvements
- Sketches or diagrams depicting the improvements and alternatives
- Submission of information in either study or letter format

WSN propose to perform the additional services described above on an hourly basis for the not to exceed amount of \$850.00. Approval of this contract will increase the total contract to a not to exceed amount of \$17,150.00.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Franzen to recommend City Council approve the WSN Engineering Amendment for the Falcon Drive Project in the not to exceed amount of \$850.00. Motion carried unanimously.

MPCA NOTICE OF COVERAGE FOR THE CITY OF BAXTER MS4

The MPCA re-issued coverage under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Permit MNR040000 for Municipal Separate Storm Sewer Systems (MS4 General Permit) to the City of Baxter, effective March 17, 2014. The permit is good for five years or until March 17th, 2019.

MN DEPARTMENT OF HEALTH GRANT APPLICATION

Staff will submit the 2014 Source Water Protection Plan Implementation Grant Application to the MN Department of Health in September 2014. The March 2014 deadline could not be met because the 2013 grant has not been fully closed out by the MN Department of Health. City Staff has submitted a final invoice and all documentation for the 2013 grant close-out to the State.

WILDFLOWER DRIVE, FRANKLIN DRIVE AND WOIDA ROAD IMPROVEMENTS PROJECT

City Consulting Engineer Welch gave a brief overview on the project and informed the commission that State Aid plan review comments were received on Friday, March 21, 2014. WSN has completed the requested revisions and plans will be returned to State Aid for final approval by the end of the week.

Nine property owners still have not signed the Quit Claim Deed for the needed right-of-way on the project. City Council is dealing with possible condemnation proceedings on the remaining properties.

The bid opening has been scheduled for Tuesday, April 29, 2014 at 11:00 a.m. with a special council meeting that night to pass a resolution to order the assessment hearing. The assessment hearing has been set for Tuesday, May 20, 2014.

MPCA GROUNDWATER MONITORING RESULTS

The MPCA groundwater monitoring results was submitted to the Utilities Commission as information only. The MPCA enhanced its ambient groundwater monitoring network within the State of Minnesota and the five monitoring wells will help provide information about the quality of Minnesota’s groundwater and identify trends in water quality.

BRAINERD PUBLIC UTILITIES WASTEWATER PLANT CHARGES FOR FEBRUARY 2014

The Brainerd Public Utilities Wastewater Plant Charges for January 2014 was submitted to the commission as information only.

ADJOURNMENT

MOTION by Commissioner Crochet, seconded by Commissioner Klopfleisch to adjourn the meeting at 5:15 p.m. Motion carried unanimously.

Approved by:

Rock Yliniemi
Chairman

Submitted by,

Mary Haugen
Administrative Assistant