

UTILITIES COMMISSION

May 7, 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 Klopffleisch, Council Liaison Rob Moser, and Chairman Rock Yliniemi.

MEMBERS ABSENT: None.

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

OTHERS PRESENT: Dave Schonrock, Kuepers Representative Kristopher Solseth, and WSN Consulting Engineers Brian Ross and Aric Welch.

APPROVAL OF MINUTES

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to approve the Utilities Commission minutes of April 2, 2014. Motion carried unanimously.

6056 FAIRVIEW ROAD REQUEST

Public Works Director/City Engineer Walter stated the City Council referred the 6056 Fairview Road school bus concerns to the Utilities Commission at the April 15, 2014 council meeting.

Mr. Shronrock at 6056 Fairview Road addressed the commission and expressed his concern over the school buses contributing to the deterioration of Fairview Road in front of his home. He would like to see the school buses utilize State Highway 210 because it is constructed to handle the weight of the school buses.

Minnesota State Statute 169.87 Seasonal Load Restriction; Route Designation Subd. 3 states that weight restrictions imposed pursuant to subdivision 1 and 2 do not apply to a school bus or Head Start bus transporting students, Head Start children or Head Start parent when the gross weight on a single axle of the bus or Head Start bus does not exceed 14,000 pounds.

Council Liaison Moser informed the commission that he contacted Reichert Bus Service regarding this matter. The bus company explained that twelve buses are staged at Lord of Life parking lot in order to enter in a certain sequence in front of the Baxter Elementary School with no gapping. Their concern is for the safety of children and entering onto Trunk Highway 210 in their opinion may cause a greater danger to the students.

The commission further discussed repairs needed to various city streets and this matter is being addressed with the City 5-year Capital Improvement Plan. The streets have been identified due to needs through the pavement management plan.

CLEARWATER ROAD TRAFFIC STUDY

The commission reviewed the WSB Clearwater Road Traffic Study which documented the impacts of the proposed Pine Grove Estates Development will have on Clearwater Road. The proposed area development includes existing and proposed residential and commercial uses. Access to the area development sites is from existing and/or proposed driveways to Clearwater Road and Forest Drive. As part of the traffic study the area traffic operations, access needs, turn lane needs, right of way needs and pedestrian accommodations were determined.

The traffic impacts of the existing and proposed development area were evaluated at the following locations.

- Clearwater Road at Forest Drive
- Clearwater Road at Edgewood Drive
- Clearwater Road at TH 371

Based on the conclusions of the report WSB made the following recommendations:

1. Adopt the access control plan to provide direction to property owners as development occurs on the Clearwater Road corridor.
2. Restripe Clearwater Road to provide one lane in each direction and a continuous center left turn lane, with the initial development, as shown in Alternative 2.
3. Secure additional right-of-way (7 feet) from properties as they develop to provide an 80 foot right-of-way corridor (40 feet on each side from centerline).
4. As development occurs, construct a 12 foot pedestrian path on the south side of Clearwater Road adjacent to the roadway with a 4 to 5 foot grass boulevard.

Mr. Solseth stated that Kuepers Construction had reviewed the WSB Clearwater Road Traffic Study and had no concerns with the report.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to recommend City Council accept the WSB Clearwater Road Traffic Study and start implementation as budgets allow of the four recommendations. Motion carried unanimously.

PINE GROVE ESTATES REZONING REQUEST FROM C2 COMMERCIAL TO R3

The commission reviewed the rezoning request for the proposed Pine Grove Estates and had no concerns with the change from C2 Commercial to R3.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Franzen to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with Pine Grove Estates rezoning request from C2 Commercial to R3. 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. One item the developer will need to submit with the building permit is a 100-year stormwater plan for the overall development.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Pine Grove Minor Subdivision Plat since the traffic study shows there will be no significant impact to Clearwater Road and the additional 7-feet of right-of-way on Clearwater Road is being dedicated on the plat. A 100-year stormwater plan will be required with submittal of the building permit. Motion carried unanimously.

WSN WELL SAMPLING REPORT

Mr. Ross reviewed the WSN sampled water results from three residences with deep water wells along the Mississippi River, for total organic carbon, ammonia, iron, and manganese.

The results did not provide a strong indication on where the aquifer might have much lower ammonia and iron concentrations in the water. Concentrations of iron, manganese, and ammonia are somewhat enigmatic in that concentrations in groundwater can vary greatly over relatively short distances and the specific conditions that create higher levels of these are not well understood. Based on the results, it appears the water west of the treatment plant has lower ammonia and iron levels.

Public Works Director/City Engineer Walter inquired if a cost benefit analysis should be done. The analysis would show the entire benefits and costs associated with running the water treatment plant at maximum pumping capacity and/or adding additional production wells with lower amounts of total organic carbon, ammonia, iron, and manganese

The commission requested a proposal for a cost benefit analysis for further consideration and discussion.

CONDITIONAL USE PERMIT FOR JOURNEY NORTH CHURCH – 6785 WOIDA ROAD

The commission reviewed the conditional use permit for Journey North Church to change a school use to a church use and related site improvements for 6785 Woida Road.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Conditional Use Permit for 6785 Woida Road contingent on a City grading permit is obtained for the parking lot expansion project and a 100-year stormwater plan be submitted with the grading permit. Motion carried unanimously.

SITE PLAN FOR JOURNEY NORTH CHURCH EXPANION OF THE PARKING LOT

Public Works Director/City Engineer Walter reviewed the site plan for Journey North Church for the expansion of the parking lot. The 100-year stormwater event is contained on-site and meets the Section 6 Stormwater requirements. The storm water ponding is very close proximity to a wetland therefore the project will require a City grading permit.

INDEPENDENCE ROAD COST ESTIMATE AND CONCEPTUAL LAYOUT REVIEW

Public Works Director/City Engineer Walter informed the commission that Potlatch is extending Independence Road and installing sanitary sewer and water. The proposed extension was not submitted by December 1, 2013 in order to meet the adequate facilities ordinance; however, staff was aware the project might move forward in 2014.

Chairman Yliniemi stated the road extension does not add additional loading on the City's water or sanitary sewer system. The commission felt for that reason the deadline date of December 1, 2013 for the adequate facilities ordinance should be waived.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission recommends waiving the December 1, 2013 deadline for the adequate facilities ordinance requirements for Independence Road Extension since staff was aware of the extension project and there is no additional loading to either water or the sanitary sewer system. Motion carried unanimously.

MINOR SUBDIVISION PLAT FOR POTLATCH ADDITION TO BAXTER

The commission reviewed the Minor Subdivision Plat of Potlatch Addition to Baxter which would divide one lot into two lots and two outlots. Public Works Director/City Engineer Walter had no concerns with the plat.

MOTION by Commissioner Klopffleisch, seconded by Commissioner Franzen to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Minor Subdivision Plat for Potlatch Addition to Baxter contingent on a signed assessment agreement for Independence Road before the plat is recorded. Motion carried unanimously.

CONDITIONAL USE PERMIT FOR POTLATCH ADDITION TO BAXTER

The commission reviewed the interim use permit for temporary accessory use and conditional use permit for shared access/parking and outside storage. Public Works Director/City Engineer Walter had no concerns with the interim use permit or the conditional use permit since it does not have any significant impacts to the roadway, water, sanitary sewer and storm sewer system.

MOTION by Commissioner Franzen, seconded by Commissioner Klopffleisch to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the roadway, water, sanitary sewer and storm sewer system for the Interim Use Permit or the Conditional Use Permit for Potlatch Addition to Baxter Plat. Motion carried unanimously.

MINOR SUBDIVISION PLAT FOR GEHRLS ADDITION TO BAXTER

The commission reviewed the Minor Subdivision Plat for Gehrls Addition to Baxter which would consolidate three parcels into two parcels and reconfigure the lot arrangement to allow for a buildable lake lot for property located at 13364 Memorywood Drive and the parcels to the north and south of the lot.

The commission wanted the City to make the applicant aware of the temporary flooding situation that occurs in the spring, when the ground is still frozen, on Memorywood Drive in that

particular section. The placement of the driveway should be taken into consideration in order to avoid making the storm water situation worse on Memorywood drive. The City has purchased the empty lot directly across from this plat on Baxter Lake in order to allow for the future construct of a storm water system and pond.

The commission had no concerns with the plat contingent on additional 7-feet of right-of-way for a total of 40-feet being dedicated on Lot 2 for Memorywood Drive right of way.

MOTION by Commissioner Crochet, seconded by Commissioner Klopffleisch to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Minor Subdivision Plat for Gehrls Addition to Baxter contingent on an additional 7-feet of right-of-way for a total of 40-feet being dedicated on Lot 2 for Memorywood Drive right of way. Motion carried unanimously.

CONDITIONAL USE PERMIT FOR 12836 PARKWOOD DRIVE

The commission reviewed the Conditional Use Permit to allow a secondary garage and driveway on a corner lot for property located at 12836 Parkwood Drive.

Commissioner Crochet inquired if there was any concern with the driveway washing out once the berm is removed. Public Works Director/City Engineer Walter informed the commission the driveway will need to be installed with a low point for emergency water overflow.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission recommends removing the berm between 12836 Parkwood Drive and 5877 Parkwood Court and use new driveway as berm with no culvert. The driveway will need to be installed with a low point for emergency water overflow. Motion carried unanimously.

FALCON DRIVE PLANS AND SPECIFICATIONS

The commission reviewed the Falcon Drive Plans and Specifications and had no concerns. City Council had recently approved the trail connection at the intersection of Falcon Drive and Isle Drive.

MOTION by Commissioner Klopffleisch, seconded by Commissioner Crochet to recommend City Council approve the Falcon Drive Plans and Specifications and move forward with the Chapter 429 process in 2014. Motion carried unanimously.

WSN ENGINEERS LETTER OF RECOMMENDATION FOR BID AWARD FOR THE 2014 WOIDA ROAD, WILDFLOWER DRIVE AND FRANKLIN DRIVE UTILITY AND ROADWAY IMPROVEMENTS PROJECT

City Consulting Engineer Welch reviewed the Engineer's Letter for Recommendation of Bid Award and submitted into the record.

Pursuant to authority of the City Council and after proper legal advertisement, bids for the above referenced project were obtained at 11:00 A.M., in the Baxter City Hall on Tuesday, April 29, 2014.

The following seven bids were received:

Pratt's Affordable Excavating, Inc.	\$2,541,600.50
RL Larson Excavating, Inc.	\$2,555,948.58
Kuechle Underground, Inc.	\$2,583,675.10
Anderson Brothers Construction Co.	\$2,603,460.56
Douglas Kerr Underground, LLC	\$2,762,286.14
Redstone Construction Co., Inc.	\$2,940,281.52
Duininck, Inc.	\$3,211,970.45
Engineer's Estimate	\$2,268,169.68

All bids were conforming to the plans, specifications and advertisement. There were three errors in seven of the ten bids submitted. A summary of the errors can be found in the attached Bidder Error Summary sheet. The corrected bid totals are listed above and in the attached Tabulation of Bids.

The revised Cost Split and Assessment Calculation spreadsheet with low bid unit prices is attached for your information and review. The low bid is approximately 12% higher than the Engineer's Estimate. Analysis of construction costs indicates most of the price difference was a result of higher dewatering, sod and water/sewer pipe costs. Increased cost deviations in excess of \$10,000 are shown in red in the far right hand column of the attached worksheet.

The total project cost is estimated at \$3,197,696.73. The current project cost is approximately \$507,580 higher than the \$2,690,119 cost presented at the Improvement Hearing. Part of the increased costs is due to additional construction items that were not included in the original cost estimate. These items include:

Bituminous Trail	\$136,393.00
Woida Road Utility Extensions	\$139,274.00
Private Service Connection per Agreement	\$ 1,204.00
Section 6 Ditching	\$ 35,162.00
Total of Additional Items	\$312,033.00

The remaining difference in cost can be attributed to increased unit prices for the utility construction including dewatering and pipe costs. Unfortunately these increased costs have an effect on the assessments.

The estimated per lot assessment based on the low bid is \$16,262.80. This is approximately \$2,147.00 higher than the \$14,116.00 presented at the Improvement Hearing. The reasons for the higher assessments are increased unit bid costs and fewer assessable properties. A summary of the current assessment calculations compared to the assessments presented at the hearing is as follows:

	Improvement Hearing	Low Bid
Water Project Cost:	\$432,152.00	\$634,249.28
City Costs:	\$135,851.00	\$247,670.33

Assessable Costs:	\$292,301.00	\$386,670.33
Assessable Lots:	78	74
Per Lot Assessment	\$ 3,747.00	\$ 5,224.04
Sanitary Sewer Cost:	\$667,103.00	\$807,658.24
City Costs:	\$194,710.00	\$201,463.67
Assessable Costs	\$472,393.00	\$606,194.56
Assessable Lots:	96	94
Per Lot Assessment:	\$ 4,921.00	\$ 6,448.88
Roadway/Storm Project Cost:	\$1,594,864.00	\$1,755,789.20
City Costs:	\$1,050,051.00	\$1,305,981.34
Assessable Costs:	\$544,813.00	\$449,807.87
Assessable Lots:	100	98
Per Lot Assessment:	\$ 5,448.00	\$ 4,589.88
Total Per Lot Assessment	\$ 14,116.00	\$ 16,262.80

A summary of Assessed costs versus City costs is as follows:

	Improvement Hearing	Low Bid
City Costs: (45.1%)	\$1,309,506.00 (49%)	\$1,755,115.34
Assessed Costs: (54.9%)	\$1,380,613.00 (51%)	\$1,442,581.38

WSN recommends the Council review the information provided in the Cost Split and Assessment Calculation worksheet with your staff to determine if the project is economically feasible. If financial review of the project indicates the City has the necessary funding sources to complete the project, we recommend the contract be awarded to Pratt's Affordable Excavating, Inc. of Merrifield, MN, the lowest responsive and responsible bidder, on the basis of the unit prices as listed in the Bid Form and Bid Tabulation.

MOTION by Commissioner Crochet, seconded by Commissioner Klopfleisch to recommend City Council adopt a Resolution Receiving Bids and Awarding the Contract to Pratt's Affordable Excavating in the amount of \$2,541,600.50 for the 2014 Woida Road, Wildflower Drive and Franklin Drive Utility and Roadway Improvement Project. Motion carried unanimously.

2014 WOIDA ROAD, WILDFLOWER DRIVE AND FRANKLIN DRIVE UTILITY AND ROADWAY IMPROVEMENTS PROJECT TIMELINE

The 2014 Woida Road, Wildflower Drive and Franklin Drive Utility and Roadway Improvements Project update timeline was submitted to the commission as information only.

2014 WOIDA ROAD, WILDFLOWER DRIVE AND FRANKLIN DRIVE UTILITY AND ROADWAY IMPROVEMENTS PROJECT MEMO

The 2014 Woida Road, Wildflower Drive and Franklin Drive Utility and Roadway Improvements Project Memo was submitted to the commission as information only.

2015 EXCELSIOR ROAD PROJECT UPDATE MEMORANDUM

The 2015 Excelsior Road Project Update Memorandum was submitted to the commission as information only.

CITY OF BAXTER ASSESSMENT POLICY – COUNCIL APPROVAL DATE APRIL 1, 2014

The City of Baxter Assessment Policy was submitted to the commission as information only. The City Council approved a change at the May 6, 2014 meeting and a revised version will be submitted to the commission at the June 4, 2014 Utilities Commission meeting.

SEWER AND WATER UTILITY TRACER WIRE SPECIFICATION

The sewer and water utility tracer wire specifications were submitted to the commission as information only. City Consulting Engineer Welch recently attended a conference on this matter and offered to meet with staff and the Commission in the future on the recommended specifications.

CROW WING COUNTY FUTURE HIGHWAY PROJECTS

The Crow Wing County future highway projects were submitted to the commission as information only.

BRAINERD WASTEWATER TREATMENT PLANT CHARGES FOR MARCH AND APRIL 2014

The Brainerd Wastewater Treatment Plant charges for March and April was submitted to the commission as information only.

ASSOCIATIONS ANNOUNCE ANNUAL AWARDS ARTICLE.

The article on associations announces annual awards were submitted to the commission as information only.

WHEN IS THE BEST TIME TO DO PREVENTATIVE MAINTENANCE ON ASPHALT PAVEMENTS ARTICLE

The article on when is the best time to do preventative maintenance on asphalt pavements was submitted to the commission as information only. The article concludes that that sealcoating and chip sealing should be conducted the second year after the initial construction of a new street.

SPECIAL UTILITIES COMMISSION MEETING ON WEDNESDAY, MAY 14, 2014 AT 4:00 P.M. FOR CRACKSEALING BID RECOMMENDATIONS

Public Works Director/City Engineer Walter requested a special meeting on Wednesday, May 14 at 4:00 p.m. for formal recommendation of the sealcoating and chip sealing bids.

MOTION by Commissioner Crochet, seconded by Commissioner Klopfleisch to set a Special Utilities Commission Meeting for Wednesday, May 14, 2014 at 4:00 p.m. for Sealcoating and Chip Sealing bid recommendations. Motion carried unanimously.

OTHER BUSINESS

Commissioner Klopfleisch submitted his verbal resignation from the commission due to personal reasons. Commissioner Klopfleisch will be submitting a formal resignation letter to the City and his last official meeting will be July 2, 2014.

ADJOURNMENT

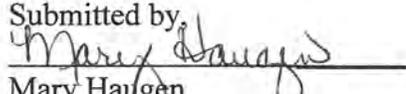
MOTION by Commissioner Crochet, seconded by Commissioner Klopfleisch to adjourn the meeting at 6:05 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi
Chairman

Submitted by:



Mary Haugen
Administrative Assistant