

UTILITIES COMMISSION

July 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: Mayor Darrell Olson, Public Works Director/City Engineer Trevor Walter and Administrative Assistant Mary Haugen.

OTHERS PRESENT: WSN Consulting Engineer Aric Welch.

MAYOR OLSON

Mayor Olson expressed on behalf of the City Council their "Thank you" to Commissioner Bruce Klopfleisch for his service and participation on the Utilities Commission for the past two years. Commissioner Klopfleisch, who is moving out of the area, stated he appreciated the opportunity to get involved with local government and the community.

APPROVAL OF MINUTES

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to approve the Utilities Commission minutes of June 4, 2014. Motion carried unanimously.

CONDITIONAL USE PERMIT FOR PLANNED UNIT DEVELOPMENTS AMENDMENT FOR SECOND ADDITION TO MACDONALD ACRES

The commission reviewed the Conditional Use Permit for a planned unit development amendment for Second Addition to MacDonald Acres which would allow the consolidation of two lots to one lot located at 14540 Jewelwood Drive.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Franzen to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Conditional Use Permit for Second Addition to MacDonald Acres contingent on the following:

1. All former Planned Unit Development conditions have been met.
2. All former Development Agreement conditions have been met.

Motion carried unanimously.

SECOND ADDITION TO MACDONALD ACRES PLAT

The commission reviewed the Second Addition to MacDonald Acres Plat. Commissioner Klopfleisch requested the water and sewer line that is not being used is properly abandoned per city requirements.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Plat for Second Addition to MacDonald Acres contingent on the water and sewer line not being used is properly abandoned at the right of way line per city specifications. Motion carried unanimously.

CONDITIONAL USE PERMIT FOR BRAINERD SAVINGS & LOAN

Public Works Director/City Engineer Walter informed the commission the Conditional Use Permit for Brainerd Savings & Loan had been pulled and no action was required.

DENS ADDITION PLAT

The commission reviewed the Dens Addition Plat which would allow the consolidation of two lots into one lot for property located at 6980 Fairview Road and 13779 Flintwood Drive.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the Plat for Dens Addition contingent on the following:

1. Additional 7-feet of right-of-way being dedicated on Flintwood Drive.
2. Recognize the excess right-of-way on Fairview Road can be used as part of the 100-year stormwater plan for the site.
3. Require the water and sanitary sewer service to the old house be abandoned properly at the right of way as per city specifications.

Motion carried unanimously.

NYSTROM ADDITION SECOND ADDITION OUTLOT A REPLAT

The commission reviewed the request to subdivide a lot from Outlot A of Nystrom Addition, which would include variances for lot width and lot area, and a conditional use permit for off-site/joint parking for property located west of Falcon Drive.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to advise the Planning and Zoning Commission that the Utilities Commission has no concerns with the replat of Outlot A for Nystrom Second Addition Plat contingent on an Assessment Agreement being in place for the future Falcon Drive extension. Motion carried unanimously.

EDGEWOOD DRIVE STORMWATER FEASIBILITY STUDY

City Consulting Engineer Welch reviewed the Edgewood Drive Stormwater Study. This study reviews potential stormwater and drainage related issues that affect private properties adjacent to Edgewood Drive between Woida Road and Novotny Road during heavy rainfall events and high groundwater conditions.

Johnson's Mini Storage has reported surface water encroachment onto the gravel drives surrounding the storage units and moisture issues inside the units as a result of high ground water elevations. Nearby conveyance networks and water surface elevations were surveyed to see if an outlet for the wetland existed. A high point in the ditch located along the west side of TH 371 was observed between Book World and Gull Lake Brick & Fireplace.

Three options were identified to address the stormwater related issues in the project area along Edgewood Drive. Options include improving and maintaining existing conveyance systems, a constructed southerly overflow/outfall and emergency pumping with a portable pumping device.

Option 1 – Improve Existing Conveyance System

Observation and survey information leads us to believe that a conveyance system is in place to limit surface water elevations in the project area. The natural overflow for the existing system appears to be the MnDOT ditch located along the west side of TH 371. As surface water elevations rise in the basin, the water begins to backup in the ditch until it reaches the high point located between Book World and Gull Lake Brick & Fireplace. The MnDOT ditch could be cleaned and

lowered to provide improved drainage to the north. Approximately 1' of material would need to be removed from the ditch to lower the ditch/overflow elevation to match the high invert elevation of the culvert under Novotny Road. The cost to clean the ditch is estimated at \$8,300. Please note this work would require a MnDOT right-of-way permit and approval from the MnDOT Hydraulics section.

Option 2 – Southerly Overflow

This option proposes the implementation of a storm water control structure on the south end of the wetland complex tied to a conveyance system discharging into the wetland located along the north side of Woida Road between Dixon Electric and Lakeland Veterinary Hospital. The Woida Road wetland is proposed to be connected to the Section 6 Stormwater Outlet with the Woida Road, Wildflower Drive and Franklin Drive Utility and Roadway Improvement Project.

A piped system would consist of an 18 inch diameter concrete storm sewer pipe with a proposed invert of 1208.0 at the control structure and 1206.0 at the outlet. Approximately 860 lineal feet of pipe and three manholes would be needed to discharge into the Woida Road wetland. The pipe would be aligned to follow existing lot lines and would require an easement width of 35 feet. Easement acquisition from one or two property owners would be needed, depending on where the outlet pipe is placed. The estimated cost of the piping option is \$98,100 not including any easement costs.

A ditched system would follow roughly the same alignment as the pipe with some slight modifications at the south end to avoid existing site improvements on the Dixon Electric property. The ditch would be constructed with an 8' bottom, 4:1 side slopes and 10' access trail. The ground between the two wetlands is considerable higher than the ditch bottom which will result in a ditch that is approximately 10 high and 100' wide at the deepest section. The ditch will require an easement width of up to 125'. Easement acquisition from more than one property owner will be required. The estimated cost of the ditching option is \$203,000 not including any easement costs.

Option 3 – Emergency Pumping

This option would not consist of implementing a permanent outlet structure; instead a temporary or portable pump would be used to pump water from the wetland complex to the storm sewer on Edgewood Drive when high water elevations are reached. This option should be considered as an Emergency Measure only.

The cost of this option is outside the scope of the study for it would only be implemented during emergency events.

MOTION by Commissioner Franzen, seconded by Commissioner Klopffleisch to recommend City Council accept the Edgewood Drive Stormwater Feasibility Study. Motion carried unanimously.

MOTION by Commissioner Crochet, seconded by Commissioner Klopffleisch to recommend City Council consider cleaning the stormwater ditch on T.H. 371 in front of Northland Brick & Fireplace with funding from the Stormwater Enterprise Fund and forward the Edgewood Drive Feasibility Study to MnDOT, Crow Wing County and the City of Brainerd for their review of the drainage system in their jurisdictions. Motion carried unanimously.

LIST STATION NO. 9 REHABILITATION PLANS

City Consulting Engineer Welch reviewed the Lift Station No. 9 Rehabilitation Plans. This project is similar to the past lift station rehabilitation projects except this one is 35-foot deep.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to recommend City Council approve the Lift Station No. 9 Plans and Specifications and direct staff to bid the 2014 Lift Station No. 9 Rehabilitation Project. Motion carried unanimously.

WSN PROPOSAL FOR ENGINEERING SERVICES FOR THE ISLE DRIVE EXTENSION FEASIBILITY STUDY UPDATE

City Consulting Engineer Welch reviewed the WSN Proposal for Engineering Services for the Isle Drive Extension Feasibility Study Update.

The original study was approved by the City Council on October 3, 2006 and was entitled "Northwest Quadrant- TH 371 and CSAH 48 Utility and Roadway Improvements". Since that time, the proposed project scope has changed significantly. The following is summary of the major changes:

- Essentia (formerly St. Joseph's) Clinic is completed and in operation
- Numerous parcels and facilities have developed in the immediate area
- Numerous other parcels are currently being considered for future development
- City has completed detailed traffic studies of the area
- Proposed roadway alignments and right-of-way corridor has been modified
- Roadway geometries and layout has changed including a roundabout at Isle Drive and CSAH 48 intersection
- Roadway and driveway access to residential properties has been modified
- Crow Wing County is a partner in the proposed project
- Large diameter water distribution pipe through project area is proposed
- Lift station and forcemain are included as part of the project being proposed
- Assessment Policy has been modified
- City is preparing for the property acquisition process

In light of all these changes, an update to the previously completed feasibility study is necessary. WSN proposes to update the study by completing the following tasks:

- Update "Statement of Purpose" based on project history and current status
- Update "Existing Conditions" to incorporate changed conditions and recent developments
- Update "Proposed Project Areas" to include expanded project areas
- Update "Proposed Improvements" to include:
 - Roundabout at Isle Drive I CSAH 48 intersection
 - Revised corridor and residential access locations
 - Revised roadway typical sections
 - Proposed lift station and forcemain connection piping
 - Proposed large diameter water distribution piping
- Update "Proposed Costs" to reflect updated proposed improvements
- Update "Assessment Methods and Funding" using the current assessment policy
- Update "Project Implementation" based on updated assessable footages and assessment policy
- Update "Conclusions and Recommendations" based on findings
- Update all Exhibits and Figures

WSN proposes to have the study update completed and available for review within 14 days of acceptance and notification of the final roadway corridor locations.

A discussion was held on the City's Request for Proposal's Policy; however, the commission felt it was not necessary since it is a continuation of the existing project. WSN has been the project engineer since 2006 and completed the original feasibility study.

MOTION by Commissioner Franzen, seconded by Commissioner Klopfleisch to recommend City Council approve the WSN Proposal for Engineering Services for the Isle Drive Extension Feasibility Study Update in the not to exceed amount of \$5,800.00. Motion carried unanimously.

WSN UPDATED PROPOSAL FOR DESIGN ENGINEERING SERVICES FOR THE DELLWOOD DRIVE & NOVOTNY ROAD IMPROVEMENTS

City Consulting Engineer Welch reviewed the WSN Proposal for Design Engineering Services for the Dellwood Drive & Novotny Road Improvements.

WSN understands the City is planning to move forward with improvements to the Dellwood Drive and Novotny Road project. WSN has been involved with this project for many years and appreciates the opportunity to continue moving this project toward completion. Two previous agreements have been approved as follows:

WSN's initial agreement for engineering and survey services was signed on April 5, 2005 in the estimated amount of \$77,900.00 for preliminary field survey, soils investigation coordination, preliminary design and wetland delineation services. Per City request, WSN also hired a sub-consultant to provide geo-technical soils borings and report services in the amount of \$905.00 that was not included in our initial agreement. The 2005 proposal also included options for final design, advertising & bidding, and wetland mitigation services in the estimated amount of \$63,500.00 that were not approved. The total approved amount under the 2005 agreement was \$78,805.00.

WSN also assisted the City with right-of-way and property acquisition services under an agreement signed January 2, 2013, for an estimated amount of \$4,200.00.

Current Proposal Status

All conditions of the previous two proposals are valid and we are not proposing any updates or revisions to the tasks or fees listed. The approved total of these two previous agreements is \$83,005.00. Currently, we have received a total of \$74,206.25 under these two agreements, resulting in \$8,798.75 remaining with no modifications to the previously approved agreements. Based on our review of project files and completed efforts, WSN feels this amount will be sufficient to complete the majority of the project through completion of the design.

Drawing and CADD Updates

The original drawing files completed in 2005 are not compatible with our current version of AutoCad. It appears efforts necessary to complete the drawings can be completed under the existing agreement amounts, unless changes are required to either the utilities or roadway configuration. Depending on the type of change required, additional effort may be required to update the old drawings to the new software version. No costs for updating the drawings to the new version of AutoCAD are included with this proposal. If additional efforts are necessary we will provide estimated costs prior to proceeding.

Advertising/Bidding/Award Phase

WSN will work with the City to advertise for bids, reproduce the plans, distribute them to prospective bidders, handle potential bidder inquiries, review the apparent low bid for compliance with the plans and specifications, and make a recommendation to the City for the award of the contract. Advertisement fees are not included in the proposal and are assumed to be the City's responsibility. It appears adequate fees are available under the previously approved agreements and no additional fees are proposed.

Environmental Services - Wetland Delineation

The original wetland delineation and report has expired and new delineation regulations have been implemented. WSN proposes to re-delineate existing wetlands that may be impacted by the proposed project and assist the City with permitting and wetland fill applications.

Additional services included in this proposal are:

- Seek approval of the previous delineation with the County
- Meet at the replacement site with the Technical Evaluation Panel (DNR, Corp, etc.)
- If necessary, re-delineate existing wetlands in the project area
- Preparation and submittal of delineation report
- Attend one meeting with the Technical Evaluation Panel {DNR, Corp, etc.)
- Prepare necessary wetland fill permits

WSN proposes to complete the above Wetland Mitigation Services for a Not to Exceed amount of \$3,500.00

Property Acquisition Services

WSN proposes to provide additional efforts related to the existing contract for property acquisition and right-of-way platting services. Additional services included in this proposal are:

- Preparation of Owner easement acquisition letters
- Individual meetings with affected property owners
- Assist City and Attorney with property acquisition negotiations

WSN proposes to complete the above Property Acquisition Services for a Not to Exceed amount of \$3,000.00.

Construction services following the award of the contract such as staking and construction observation of the roadway are not included in this proposal.

A discussion was held on the City's Request for Proposal's Policy; however, the commission felt it was not necessary since it is a continuation of the existing project. WSN has been the project engineer since 2005 and is over 80% complete with the project plans and specifications. The amount of the additional contract services is under the \$15,000 threshold requiring Request for Proposal's.

MOTION by Commissioner Klopffleisch, seconded by Commissioner Crochet to recommend City Council approve the WSN Proposal for Design Engineering Services for the Dellwood Drive & Novotny Road Improvements Project for additional services in the not to exceed amount of \$6,500.00. Motion carried unanimously.

WSN PROPOAL FOR DESIGN SERVICES FOR THE RIGHT TURN LANE ON COLLEGE DRIVE FOR THE CYPRESS DRIVE INTERSECTION

City Consulting Engineer Welch reviewed the proposal to provide design and construction related services for a proposed right turn lane allowing eastbound traffic on College Road to turn southbound on Cypress Drive.

The proposal includes services necessary for right-turn lane construction, trail relocation and private site improvements, including assistance with property acquisition. Our proposed scope of services is summarized below:

Services Completed to Date

At the direction of City Staff, WSN has completed various preliminary items necessary to facilitate property acquisition negotiations with the adjacent property owner. Items completed to date include the following:

- Researched available topographic and property information
- Created of a base drawing of existing conditions
- Prepared preliminary right-turn lane and private property site improvements
- Prepared cost estimates
- Prepared preliminary sketch and description of proposed property acquisition

Preliminary Survey Services

WSN proposes to conduct preliminary survey services necessary to complete property acquisition and design. Items included with this proposal are:

- Supplemental topography survey
- Coordinate field location of existing private utilities (i.e. electric, telephone, gas, cable)
- Record and document location of mapped or marked utilities
- Create base drawing with updated property and topographic information
- Prepare final sketch and description of property acquisition areas (platting the property is not included with this proposal and would be an additional cost)

Design Services

WSN will prepare design drawings, specifications and contract documents for the proposed right-turn lane, trail relocations and private site improvements as shown on the attached drawing. Documents will be completed in accordance with current City requirements and will be suitable for competitive bidding. Items included in our proposed scope of services are as follows:

- Title sheet
- Statement of estimated quantities
- Temporary and permanent erosion control details and plan
- Existing conditions and removals plan
- Typical construction details
- Plan and profile sheets detailing right-turn lane construction
- Plan sheets detailing private site improvements
- Preparation of contract documents and specifications
- Preparation of Engineer's Estimate of Probable Construction Cost
- Submission of plans for State Aid review
- Submission of plans and specifications for review and approval by City staff, Utilities Commission and Council

Advertising/Bidding/Award Services

WSN will assist the City in advertising, bidding and awarding the project. Items included in our proposed scope of services are as follows:

- Assist City with advertising the construction documents for public bidding.
- Coordination of contract document distribution to prospective bidders
- Reply to bidder questions and inquiries
- Prepare and distribute necessary addenda
- Attend and assist with bid opening procedures
- Prepare a tabulation of bids received
- Review apparent low bid for compliance with contract documents
- Provide recommendation to the City for award of the contract

Construction Staking

WSN proposes to provide construction staking and field survey services associated with the proposed construction. Specific tasks included with this proposal are:

- Establish vertical and horizontal control in the project area
- Generate staking points for the design elements shown in the plans
- Provide construction staking of roadway and private site improvements
- Document staked point locations and elevations
- Provide Contractor with construction staking information

Construction Administration

WSN proposes to provide construction administration services associated with construction of the proposed improvements and coordination with the Contract Documents. Specific tasks included with this proposal are:

- Coordinate execution of the Contract Documents
- Review Contractor material submittals for compliance with the specifications
- Serve as the liaison between City, Contractor and the property owner
- Prepare and/or review Contractor applications for payment
- Review payment applications with the City
- Review and prepare necessary documentation for change orders

Construction Observation

WSN proposes to provide construction observation services to document construction in accordance with the Contract Documents. Specific tasks included with this proposal are:

- Part-time field observation of construction activities
- Observation and documentation of testing procedures and results
- Documentation of daily work activities
- Measurement and documentation of bid items for payment
- Assist the City with the final walkthrough and project closeout

Post-Construction Services

WSN will complete post-construction services in accordance with City requirements. Specific tasks included with this proposal are:

- Prepare "Record Drawing" documents
- Calculate final project costs

Please note the proposed improvements are on a designated State-Aid route. WSN has assumed the City will be utilizing local funds for these improvements and plans do not need to meet detailed State-Aid plan requirements. WSN has however included time to make sure the plans are reviewed and comments obtained from State-Aid. Documents would be completed within 30 days of the signed contract.

A discussion was held on the City's Request for Proposal's Policy; however, the commission felt it was not necessary since it is a continuation of the existing project. WSN has been the project engineer since 2012 and has completed all preliminary layouts and site survey work. The amount of the contract would be under the \$15,000 threshold requiring Request for Proposal's if the previous services in the amount of \$1,773.50 over the last two years was not included.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to recommend City Council approve the WSN Proposal for Design Services for the Right Turn Lane on College Drive for the Cypress Drive Intersection in the not to exceed amount of \$16,273.50. Motion carried unanimously.

WSN PROPOSAL FOR FEASIBILITY STUDY FOR GOLF COURSE DRIVE FROM EXCELSIOR ROAD TO WOIDA ROAD

City Consulting Engineer Welch reviewed the WSN proposal to provide a feasibility study relative to Golf Course Drive between Excelsior Road and Woida Road. WSN understands the City is considering the following improvements:

- Mill and Overlay only - Excelsior Road to Universal Road
- Road and Storm Sewer Reconstruction - Universal Road to Links Lane
- Mill and Overlay only- Links Lane to Woida Road

The proposal includes providing a feasibility study comprised of the following:

- "Statement of Purpose" reviewing project history and current status
- "Existing Conditions" presenting current road and utility conditions
- "Proposed Improvements" reviewing potential options or alternates. Specific areas addressed include:
 - Roadway corridors and access locations
 - Roadway typical sections
 - Storm sewer extension/modifications
 - Sanitary sewer collection system extensions/modifications
 - Water distribution system extensions/modifications
- "Proposed Costs" estimating costs associated with options or alternates reviewed
- "Assessment Methods and Funding" presenting potential funding sources and methods as outlined in the City Assessment Policy
- "Project Implementation" detailing cost impacts to the City and property owners as a result of potential assessments or other funding methods
- "Conclusions and Recommendations" based on findings
- Preparation of Exhibits and Figures

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A discussion was held on the City's Request for Proposal's Policy; however, the commission felt it was not necessary since it is a continuation of the existing project. The amount of the contract for services is under the \$15,000 threshold requiring Request for Proposal's.

MOTION by Commissioner Klopfleisch, seconded by Commissioner Crochet to recommend City Council approve the WSN Proposal for Feasibility Study for Golf Course Drive from Excelsior Road to Woida Road in the not to exceed amount of \$4,900.00. Motion carried unanimously.

DULUTH NEWS TRIBUNE ARTICLE

The Duluth News Tribune article was submitted to the commission as information only.

ADJOURNMENT

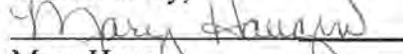
MOTION by Commissioner Crochet, seconded by Commissioner Klopfleisch to adjourn the meeting at 5:30 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi
Chairman

Submitted by,



Mary Haugen
Administrative Assistant