

UTILITIES COMMISSION

August 3, 2016

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, Doug Wolf and Chairman Rock Yliniemi.

MEMBERS ABSENT: Commissioner Dave Franzen and Council Liaison Mark Cross.

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

OTHERS PRESENT: WSN Consulting Engineer Aric Welch, WSN Engineer Tim Ramerth, SEH Consulting Engineer Scott Hedlund and Bolton & Menk Consulting Engineer Mike Rardin.

APPROVAL OF MINUTES

MOTION by Commissioner Wolf, seconded by Commissioner Crochet to approve the Utilities Commission minutes of July 6, 2016. Motion carried unanimously.

AMI PROJECT UPDATE

GIS/IT Director Todd DeBoer gave a brief update on the project. Midwest Testing will be the installers of the water meters and notices for appointments have been sent to the residents north of T.H. 210 to have meter(s) replaced and a radio installed. Midwest Testing anticipates installing 50 – 75 meters per day and installation time per meter is typically 20 – 30 minutes.

Final integration for the software billing is still being completed at this time.

15532 DELLWOOD DRIVE AND 15494 DELLWOOD DRIVE TURN LANE

APPROACH REVIEW REQUEST

The commission discussed the concern that a resident on Dellwood Drive reported. This particular area has a bypass lane to allow north bound vehicles to bypass traffic turning left onto Novotny Road. The concern is that a residential home and business both need to make right hand turns in that bypass lane in order to enter their property.

Signage indicates this is a bypass lane at 45 mph. Traffic thinking it's only a bypass lane a near rear end accident almost occurred last weekend with the residential homeowner trying to make a right turn into their property. The city has been put on notice of this occurrence and that there is a possible issue that needs to be addressed. WSB Traffic Engineer Chuck Rickart has been asked to review the situation and make any recommendations of any safety improvements if needed.

Commission consensus was that the City Traffic Engineer needs to review the intersection in a timely manner and come back with any proposed changes to the next commission meeting.

DK INVESTMENTS AGREEMENT FOR DEVELOPMENT FOR VAUGHANS

TOWNHOMES

Public Works Director/City Engineer Walter stated this is the standard agreement the City uses for watermain and sanitary sewer extensions for private improvement projects. Public Works Director/City Engineer Walter has no concerns with the agreement and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the DK Investments Agreement for Development for Vaughans Townhomes. Motion carried unanimously.

STORMWATER MANAGEMENT PLAN FOR THIRD ADDITION TO BAXTER

WALMART SUBDIVISION

Public Works Director/City Engineer Walter said this was a unique redevelopment of the property with two buildings and multiple tenants toward the front of the existing parking lot.

WSN Engineer Ramerth representing his client reviewed the storm water management plan for the proposed development on Edgewood Drive. The property currently consists of nearly 100 percent impervious coverage which is currently an existing parking lot for the Gander Mountain Store.

The property is going to be replatted and the proposed improvements will consist of a full re-development of the two lots that are being created. Utility connections will be derived from an internal watermain and a single cut in Edgewood Drive for the installation of a main line 8 inch sanitary sewer.

Stormwater management requires the proposed redevelopment to retain runoff from the 100-year 24-hour storm event on site. As the property currently exists, the majority of the bituminous pavement on the east side of the current Gander Mountain building drains directly to the city storm water system without any water quality treatment. The entire area being platted into two separate lots will drain directly to the city system with no treatment and there is no engineering way possible to redirect any other way.

As part of this proposed development, the Developer is proposing an extended detention basin be constructed on the south and west side of the current Gander Mountain building and drainage from the Gander Mountain building will be directed to this basin as a tradeoff for the water quality treatment needed for the two lots being created. The volume entering the new pond will be equal to the 100 year 24 hour storm event required for the two new lots out front.

Mr. Walter stated another consideration for stormwater would be to increase the volume in the current storm water pond just south of the building located between Gander Mountain and Cub Foods. Commission felt that one option or the other or a combination of both options will meet

the City ordinance requirements as long as the total volume equals the 100 year 24 hour storm event for the two new lots being created on the northeast side of the property.

MOTION by Commissioner Crochet, seconded by Commissioner Wolf to recommend City Council approve the WSN 100-Year Stormwater Management Plan for the Third Addition to Baxter Wal-Mart Subdivision contingent on final approval from the Public Works Director/City Engineer that the volume equals the 100 year 24 hour storm event for the two new lots being created. Motion carried unanimously.

**PRELIMINARY AND FINAL PLAT FOR THIRD ADDITION TO BAXTER
WALMART SUBDIVISION**

WSN Consulting Engineer Ramerth stated the proposed site improvements for the Gander Mountain property located just north of Excelsior Road along Edgewood Drive. The proposed project will include the replat of the property to create two additional lots north of Taco Bell comprising of approximately 3.5 acres of property.

Public Works Director/City Engineer Walter stated that Community Development Director Doty had recently completed his review and expressed some concern over the entrance lineup on the private drive with adjacent property owner Taco Bell. Mr. Walter inquired if the commission saw any reason for a traffic study to be done on the proposed development with regards to ingress and egress.

Mr. Ramerth stated the entrance change is on private property and was changed to facilitate better traffic flow within the development. Chairman Yliniemi stated he did not see a reason for a traffic study due to the options within the area for ingress and egress since it is only the private entrance that is being changed with no changes to ingress or egress to Edgewood Drive.

Mr. Walter informed the commission that development is planned for 2017; however, the developer wants to have all zoning approvals done so building leases can be signed.

The commission discussed the improvements to the site will need to have a total road closure and felt it would be in the best interest to detour traffic through the existing parking lot. Pavement will be required to be cut completely across from side to side by approximately 100-feet long in an effort to get compaction back in the excavation trench. The same pavement cross section used in the 2015 Full Depth Reclamation of Edgewood Drive will be required to repair the roadway.

The commission discussed road right-of-way in the area and it was determined that no additional right-of-way would be needed. City Subdivision Ordinance 11-4-2 for streets right of way states the following: In the sole discretion of the city, a reduction in right-of-way may be granted if the proposed development abuts existing development with less right-of-way or if it is a replat of a previously platted development.

MOTION by Commissioner Wolf, seconded by Commissioner Crochet to recommend advising the Planning and Zoning Commission that the Utilities Commission has no concerns with the Third Addition to Baxter Wal-Mart Subdivision Preliminary & Final Plat contingent on the following:

1. Waive the dedicated additional 80-feet of right-of-way on Edgewood Drive per City Ordinance No. 11-4-2.
 2. No traffic study on the development would be required.
 3. Require a signed Development Agreement before the City issues a building permit.
- Motion carried unanimously.

2015 MILL AND OVERLAY PROJECT UPDATE

SEH Consulting Engineer Hedlund had no new information on the 2015 Mill and Overlay Project.

2016 FAIRVIEW ROAD IMPROVEMENTS PROJECT UPDATE

The following is an update on the status of the various work tasks on the project:

A. Permits

1. The necessary wetland permits have been secured.
2. The necessary MnDOT right of way (ROW) permit has been secured.
3. The necessary MPCA NPDES Construction Stormwater Permit will be secured by the contractor prior to start of construction.

B. Easements

- Easement agreements from all but 2 parcels have been secured to date.
 - The remaining 2 are temporary easements for driveway resloping.
 1. One of the two has given verbal approval.
- Beyond the easements above, 2 additional easements combined with maintenance agreements have been submitted to the school district for approval to cover the existing storm ponds on the west and southeast sides of Baxter Elementary School property.
 - The west pond is planned for improvement with the 2016 Mill & Overlay Project and the southeast pond is planned for improvement with this project.

C. Bidding

- Bids were opened on May 3, 2016.
 - Two bids were received.
 - Both bids were below the engineer's estimate.
 - Anderson Brothers Construction of Brainerd is the low bidder.
- City Council awarded the project to Anderson Brothers Construction on June 7, 2016.

D. Assessment Hearing

- The assessment hearing occurred on Thursday, June 2, 2016 and was adopted by the City Council on June 7, 2016.

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E. Construction

- The preconstruction conference (for the Contractor, Private Utility Companies, City Staff, and SEH) was held June 9th at 9am at City Hall.
- The preconstruction neighborhood meeting was held on June 15th at 6pm at City Hall.
- Construction started June 13th.
- The following work has been completed:
 - The first lift of bituminous surfacing has been placed on Fairview Road east of Memorywood Drive.
 - Both lifts of bituminous surfacing has been paved on Fairview Road west of Memorywood Drive and on Memorywood Drive.
 - All storm sewer, pond, and culverts have been installed.
 - Most of the ditch and inslope grading is complete.
 - Final turf restoration work has started.
- Planned work:
 - Ongoing final ditch and inslope fine grading and turf restoration.
 - Tree restoration is planned for the week of August 8th.
 - Paving the final lift of mainline Fairview Road bituminous surfacing is planned for the week of August 15th.
 1. Driveways are planned to be paved before the mainline.
 - Concrete pedestrian curb ramps at the school and Art Ward Drive, and concrete sidewalk at Inglewood Drive are planned to be installed after the final paving
 - Signing and mailbox work to occur after final paving.
 - Striping to occur last.

F. Utility Relocation Work

- Centerpoint Energy gas main and service relocation/upgrade work is complete.
- Crow Wing Power has some guy wire relocation work remaining.
- CenturyLink has some cable lowering work remaining by Art Ward Drive.

The following is an update on the status of the project budget:

A. Total project budget:

- The total project budget based on the as-bid construction costs and figures to be presented at the Assessment Hearing is \$1.3M.

B. Consultant budget:

- There are no unapproved scope changes at this time.

2016 FAIRVIEW ROAD IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO.

2

SEH Consulting Engineer Scott Hedlund reviewed Partial Pay Estimate No. 2 for the 2016 Fairview Road Improvements Project with the commission. SEH Consulting Engineer had no concerns with Partial Pay Estimate No. 2 and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Anderson Brothers Partial Pay Estimate No. 2 in the amount of \$219,879.78 for the 2016 Fairview Road Improvements Project. Motion carried unanimously.

2016 CITY OF BAXTER CHIP SEALING PROJECT UPDATE

Bolton & Menk Consulting Engineer Rardin reviewed the project update.

Work Completed - Fourth Update

Street and trail sealcoat aggregates have been approved for use. Final test documents and design mixes are pending and should be received shortly.

The Contractor notified us on Monday, July 25th, they intend to begin construction on Monday, August 8th.

Resident notices and a Public Service Announcement were sent out on July 26th.

Project Schedule and Completion

The following schedule and completion requirements were incorporated into this project:

1. All seal coat, fog, and interim pavement marking work required under this Contract is to be completed no later than August 15, 2016 and within ten (10) working days from project initiation.
2. All construction operations are to be completed no later than August 26, 2016.

Engineering Costs

The City contracted with BMI for design services for this project in early March. Because the City was uncertain over Franchise Fee creation and street maintenance funding during late February and early March, construction services were not contracted for by the City. Design services were completed by BMI with the submittal of project plans and specifications to the County on March 7, 2016.

On April 12, 2016, a proposal for construction Observation Services was submitted to the City in the amount of \$11,000.00. The cost proposed is higher than what would normally be expected on this type of project. This is based on past experience associated with this Contractor.

2016 GOLF COURSE DRIVE IMPROVEMENTS PROJECT UPDATE

Bolton & Menk Consulting Engineer Rardin reviewed the project update.

Work Progress - Fourth Update

A bid tabulation, assessment review, and contract award recommendation were presented to the Utility Commission at the July 6th meeting. The Commission recommended Award of Contract to Anderson Brothers Const. Co. of Brainerd, LLC in the amount of \$1,090,108.01.

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On July 7, 2016, the project Assessment Hearing was conducted where about 10 persons were in attendance. Property owners expressed concern over increased traffic volumes, noise, and speeds along with the need for future maintenance of streets. Sprinkler system relocations were also discussed. Information on the City's pavement management program and long term maintenance plans were provided at the hearing. Several objections to the assessments were received and those same filed appeals with the City.

On July 19, 2016, the City Council adopted the special assessments as proposed and awarded the contract for the project to Anderson Brothers of Brainerd. A Notice of Award of Contract was presented to Anderson Brothers on July 20th and a preconstruction conference was conducted on July 22nd. Work started on the project on Monday, July 25th.

Neighborhood Meeting notices were mailed to property owners on July 20th and a Neighborhood Meeting was conducted Tuesday evening, July 26th. A Public Service Announcement notifying various agencies and parties of the construction was sent out on July 20th. Construction start notices were hand delivered to potentially affected property owners on Thursday, July 21st. An email list of property owners impacted by this project has been created so progress updates and / or alerts can be provide to them as appropriate.

Construction work done the week of July 25th consisted of:

1. Installation of traffic controls
2. Assessment of City utilities (gate valves, curb stops, etc.)
3. Installation and operation of a dewatering system
4. Removal of pavement in the reconstruction area
5. Topsoil stripping in the reconstruction area
6. Implementation of erosion control activities (SWPPP)
7. Location of various underground utilities with relocation planning

Project Schedule

Based on the contractor's proposed schedule, construction is estimated to take just over ten weeks with a projected completion date of October 5th. Based on the contractor's proposed schedule, the following is a brief summary of future construction activities:

July - traffic controls, removals, and dewatering in the reconstruction area

August - street (grading) and storm sewer construction in the reconstruction area

September - reclamation, curb and gutter replacement / construction, aggregate and bituminous base construction, and turf establishment in both the reconstruction and reclamation areas

October - bituminous wear course construction in both the reconstruction and reclamation areas

Completion Dates

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The contract calls for substantial completion by September 30th with final completion by October 14th. The contractor has indicated, based on their proposed schedule, they may request an extension of the substantial completion date to October 5th.

Costs

Due to erosion potential at the Johnson Center, bio rolls were added to the erosion control plan (SWPPP) and have been installed. A change order will be necessary for this. The additional cost to do this is currently estimated at about \$4,000. A 5% contingency in the amount of \$54,505.00 has been allowed for in this project.

The City should be aware that the work associated with the possible sewer relocations has resulted in extra work and costs. The City Council was apprised of the estimated costs for this extra work, the sewer inspection costs, and the sewer capacity analysis costs at their meeting on March 3rd. An amendment to the agreement based on those discussions will be provided for approval in the future.

Other work on the project has been continuing as agreed to according to the existing “Not to Exceed” contract.

2016 MILL AND OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE CONSTRUCTION PROJECT UPDATE

WSN Consulting Engineer Welch reviewed the project update.

Summary of Work Completed Since Last Update

- Week of June 27th: Contractor completed sanitary sewer and water service work on College Road.
- Week of July 4th: Completed curb & gutter at Baxter Elementary School.
- Week of July 11th: Removals completed on College Road turn lane project. Utility companies completed utility relocates on College Road. Completed storm sewer installation on College Road. Completed turn lane and trail subgrade work.
- Week of July 18th: Completed work on Woida road through bituminous base course (bituminous wear course complete from TH 371 through Dellwood Drive. Completed Clearwater Road through bituminous base course.
- Week of July 25th: Began concrete work on College Road. Completed raising sanitary sewer castings, raising water valves and topsoil/turf establishment

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on Clearwater Road and Woida Road. Completed final lift of bituminous on Clearwater Road. Completed final lift of bituminous on Woida Road from Dellwood Drive to Golf Course drive.

Project Schedule

- Week of July 25th: Complete all bituminous work on Clearwater Road and Woida Road. Pavement markings on Clearwater Road and Woida Road. Complete concrete work on College Road. Complete final grading work on College Road.
- Week of Aug. 1st: Complete work on College Road. Begin mill and overlay in Maplewood, Kenwood, Madeline and Glenwood project areas.
- Week of Aug. 8th: Begin mill and overlay in Southdale project area.
- Week of Aug. 15th: Shouldering and final project cleanup.

Changes:

John Street

- A culvert will be added to the project under the driveway along the south side of John Street.

Maplewood Drive

- The Council reviewed our memo regarding possible solutions to the drainage problem at the corner on Maplewood Drive. The Council selected the curb & gutter with a spillway and swale behind the curb. Since the last Council meeting, we have discovered a catch basin and pipe located on the west side of Maplewood Drive. A revised plan was created showing the selected option with a storm sewer catch basin in the ditch to direct storm water overflows into the pipe located on the west side of the roadway. After reviewing the revised plan with City staff, we believe this is the best option to protect area properties from flooding and have directed the Contractor to proceed with the improvement.

College Road

- City staff has requested new signage for the trail crossing at Cypress Drive. The existing signage will be moved to the private roadway entrance at the west end of the project. Additional bituminous pavement and curb & gutter were removed to allow room for the utility locates. A pedestrian ramp will be added on the west side of the private roadway entrance at the west end of the project to comply with current ADA standards

13413 MAPLEWOOD DRIVE AGREEMENT FOR THE 2016 MILL AND OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE CONSTRUCTION PROJECT

WSN Project Engineer Welch reviewed the agreement for the property that has flooding concerns on Maplewood Drive as discussed in the project update.

MOTION by Commissioner Wolf, seconded by Commissioner Crochet to recommend City Council approve the 13413 Maplewood Drive Temporary Easement Agreement for the 2016 Mill and Overlay, Full Depth Reclamation and Right Turn Lane Construction Project. Motion carried unanimously.

2016 MILL AND OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE CONSTRUCTION PROJECT PARTIAL PAY ESTIMATE NO. 1

WSN Consulting Engineer Welch reviewed Partial Pay Estimate No. 1 for the 2016 Mill & Overlay, Full Depth Reclamation and Right Turn Lane Construction Project with the commission. WSN Consulting Engineer Welch had no concerns with Partial Pay Estimate No. 1 and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the Tri-City Paving Partial Pay Estimate No. 1 in the amount of \$176,652.90 for the 2016 Mill & Overlay, Full Depth Reclamation and Right Turn Lane Construction Project. Motion carried unanimously.

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

WSN Consulting Engineer Welch informed the Commission that there was no new update and that the project is the same status as from the update last month.

LIFT STATION NO. 8 RECONSTRUCTION PROJECT UPDATE

WSN Consulting Engineer Welch reviewed the project update.

Summary of Work Completed Since Last Update

The Contractor began work on Monday, July 18th, 2016. During the week they completed removals, set the new valve vault and lift station cover and completed all piping necessary to get the lift station back on line. On Friday, July 22nd, 2016 the lift station was started up and put back into operation. The Contractor is currently working on completing miscellaneous items associated with the lift station and site work.

Project Schedule

The contractor will continue site work and final clean up the week of July 25th and paving is scheduled for the week of August 1st. All work should be complete by the Substantial Completion date of August 12th.

Changes

The concrete structures arrived on site with lift holes that penetrated the structure. Lift holes of this type are specifically not allowed because of the potential for ground water infiltration which can lead to sink holes. The Contractor was unable to get the structures replaced in a reasonable amount of time to keep the project on schedule and requested a repair vs. a replacement. The repair was reviewed and approved by the Engineer and City staff. In accordance with the Contract documents, the time required by the Engineer to review the repair will be charged back to the Contractor and withheld from the final payment.

City staff has requested a change to the site plan. The bituminous driveway will be extended farther south and additional bituminous will be placed around the concrete pad for the control panel and sanitary sewer manhole. The work will require additional fill, class 5 aggregate base and bituminous.

LIFT STATION NO. 8 RECONSTRUCTION PROJECT PARTIAL PAY ESTIMATE NO.

1

WSN Consulting Engineer Welch reviewed Partial Pay Estimate No. 1 for the Lift Station No. 8 Reconstruction Project with the commission. WSN Consulting Engineer Welch had no concerns with Partial Pay Estimate No. 1 and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the DeChantal Excavating Partial Pay Estimate No. 1 in the amount of \$49,500.00 for the Lift Station No. 8 Reconstruction Project. Motion carried unanimously.

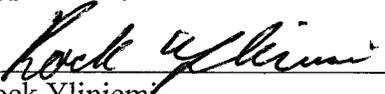
WASTEWATER TREATMENT PLAN CHARGES FOR JUNE

The Brainerd Public Utilities Wastewater Plant Charges for June 2016 was submitted to the commission as information only.

ADJOURNMENT

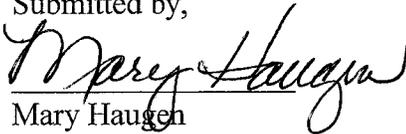
MOTION by Commissioner Wolf, seconded by Commissioner Crochet to adjourn the meeting at 7:45 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi
Chairman

Submitted by,



Mary Haugen
Administrative Assistant