

UTILITIES COMMISSION

October 3, 2018

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, Dave Franzen, Chairman Rock Yliniemi and Council Liaison Mark Cross.

MEMBERS ABSENT: None.

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

OTHERS PRESENT: WSN Consulting Engineers Aric Welch and Tim Ramerth, SEH Consulting Engineer Scott Hedlund and WSB Consulting Engineers Chuck Rickart.

APPROVAL OF MINUTES

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to approve the Utilities Commission minutes of September 5, 2018. Motion carried unanimously.

BAXTER REDEVELOPMENT

Public Works Director/City Engineer Walter gave a brief update on the redevelopment of the former Gander Mountain site. The developer is proposing to modify the north building square feet to include one retail space, one restaurant space and one restaurant space with drive-through.

A traffic review of the area has been completed and no modifications were needed with the proposed change. The area has existing water and sanitary sewer, street access and the stormwater plan had already been previously approved.

WSN Consulting Engineer Ramerth explained two sidewalk connections have been requested as part of the overall Planned Unit Development. One sidewalk connection is on the face of the old Wal-Mart building which will be the new Camping World building. There is another connection that will be required on the front end of the RV display area and that will go all the way to the north and a connection on the east side of the proposed building extending to the north property line to connect the new buildings. The plans have been updated for that request and have been resubmitted to the City on Monday this week.

MOTION by Commissioner Christofferson, seconded by Commissioner Franzen to advise the Planning & Zoning Commission they have no concerns with the Baxter Redevelopment based on a positive traffic study review and contingent on a sidewalk connection from the front of the building to the north property line. Motion carried unanimously.

PRELIMINARY & FINAL PLAT OF TRIANGLE ADDITION TO BAXTER

Public Works Director/City Engineer Walter informed the commission this is a clean-up of triangle oil office building, SA Gas Station and the development of an empty lot on Golf Course Drive to the east. Mr. Walter explained there are existing issues on the parcel which include drive isles, parking

and landscaping inside the Dellwood Drive right of way and a Limited Use Agreement will be needed for the site to clean up these issues.

There is also the issue of the Class 5 in the back of the building and the applicant has been asked to either take the Class 5 out or pave the area. The 100-year stormwater plan is for the entire gravel area that will be paved and the rest of the site drains back to the west to Dellwood Drive. The owners would like to pave next year since the cost for bituminous is extremely pricey at this the time of year.

WSN Engineer Ramerth inquired on the 5-year stormwater design for existing property and Public Works Director/City Engineer Walter stated the stormwater ordinance had been amended and the 5-year stormwater design has been removed and it is now 100-year design only.

Chairman Yliniemi questioned the 100-year stormwater requirement since the City has allowed 5-year ponds. Mr. Walter explained Title 8, Chapter 5 Stormwater Control and Regulations were changed and updated in 2017 removing the 5-year storm water design option.

Mr. Ramerth stated the only caveat to that is Title 11, Chapter 4, Section 8D of the Subdivision Ordinance still references the 5-year pond and should be changed to reference the new stormwater requirements.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to advise the Planning & Zoning Commission they have no concerns with the preliminary and final plat of Triangle Addition to Baxter contingent on the following:

- 100-Year Stormwater Plan for the existing gravel surface area.
- Limited Use Agreement for drive isle, parking and landscaping in the Dellwood Drive right of way.
- Standard utility and drainage easements to be shown on plat.

Motion carried with Council Liaison Cross abstaining.

CONDITIONAL USE PERMIT AND VARIANCE FOR TRIANGLE ADDITION TO BAXTER

WSN Engineer Ramerth inquired if the Conditional Use Permit (CUP) allows for a provision to allow a 2-foot separation between the high-water level of the stormwater feature and the finished floor as part of the recommendation.

Mr. Ramerth stated he is meeting with the property owner tomorrow to discuss options. There is high ground water in the area and would like to avoid another filtration basin or wet pond in the area if possible. If they do infiltration it will raise the level of the pond, the existing building is around 1200 and to get a 3-foot separation between the infiltration basin and the existing floor in the building will not work. If the separation was dropped to 2-foot separation the infiltration basin design would work for this site.

Mr. Walter stated any deviation from 3-foot elevation to a 2-foot separation from the 100-year stormwater elevation and the lowest floor elevation of the building would need to be addressed with a CUP. The commission could choose to add this to the motion; however, if this was not requested in the submitted permit it would have to be addressed at a later date. The finding of fact to support the CUP is that this is a preexisting non-conforming site and the City will gain a 100-year stormwater design for the existing gravel parking that is to be paved.

Mr. Walter has no concerns with this request as it will help with the design of the site and the City will gain a stormwater treatment pond that is not there today.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to advise the Planning & Zoning Commission they have no concerns with the Conditional Use Permit and Variance for Triangle Addition to Baxter and would recommend allowing a 2-foot separation in the 100-year stormwater elevation and the lowest floor elevation of the building if the applicant applies for a CUP. Motion carried with Council Liaison Cross abstaining.

PRELIMINARY PLAT & FINAL PLAT FOR NAVILLUS LAND COMPANY

Public Works Director/City Engineer Walter reviewed the preliminary and final plat of Navillus Business Center.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to advise the Planning & Zoning Commission they have no concerns with the preliminary and final plat of Navillus Business Center contingent on a 100-Year Stormwater Plan for the site and standard utility & drainage easements are shown on the plat. Motion carried unanimously.

CONDITIONAL USE PERMIT AND VACATION FOR COLLINS BROTHERS TOWING

Public Works Director/City Engineer Walter reviewed the request for shared access to College Road & Cypress Drive and shared stormwater. Community Development staff is currently revising city ordinance to allow a towing facility in an industrial zone.

There will need to be a written emergency response plan for the site to stabilize any incidents involving hazardous spills and reduce any harmful effects to the environment.

MOTION by Commissioner Christofferson, seconded by Commissioner Franzen to advise the Planning & Zoning Commission they have no concerns with the conditional use permit and variance for Collins Brothers Towing contingent on the following items:

- Stormwater treatment plan for the impound lot and towing yard.
- Stormwater Facilities Maintenance Agreement as per city ordinance.
- Written Emergency Response Plan for spills.
- Ordinance amendment to allow a towing yard in an industrial zone.

Motion carried unanimously.

2018 NORTH WATER TOWER REHABILITATION IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 North Water Tower Rehabilitation Project Monthly Update Memo. There was no new information or questions from the commission or the public.

2018 LIFT STATION NO. 3 REROUTE IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Lift Station No. 3 Reroute Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

2018 CHIP SEAL IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Chip Seal Improvements Project monthly update. There was no new information or questions from the commission or the public.

**2019 SOUTH INTERCEPTOR, NORTH FORESTVIEW AND FORESTVIEW
STORMWATER OUTLET IMPROVEMENTS PROJECT**

Chairman Yliniemi inquired if there were any questions or concerns with the 2019 South Interceptor, North Forestview and Forestview Stormwater Outlet Improvements Project monthly update. There was no new information or questions from the commission or the public.

2018 CYPRESS DRIVE IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Cypress Drive Improvements Project monthly update. There was no new information or questions from the commission or the public.

**BNSF LICENSE FOR ELECTRIC SUPPLY LINE ACROSS OR ALONG RAILWAY
PROPERTY**

SEH Consulting Engineer Hedlund reviewed the JLL/BNSF electric supply line license for the 2018 Cypress Drive Improvements Project. The license for the electric supply line had been a previous discussion at the September meeting.

Mr. Hedlund has no concerns with the BNSF License for Electric Supply Line Across or Along Railway Property and recommends approval.

MOTION by Council Liaison Cross, seconded by Commissioner Christofferson to recommend City Council approve the BNSF License for Electric Supply Line Across or Along Railway Property in the amount of \$5,737.25 for the 2018 Cypress Drive Improvements Project. Motion carried unanimously.

2018 CYPRESS DRIVE IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 3

SEH Consulting Engineer Hedlund reviewed Partial Pay Estimate No. 3 with the commission for the 2018 Cypress Drive Improvements Project. Mr. Hedlund has no concerns with Partial Pay Estimate No. 3 and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the Landwehr Construction Inc. Partial Pay Estimate No. 3 in the amount of \$994,508.82 for the 2018 Cypress Drive Improvements Project. Motion carried unanimously.

**2018 EXCELSIOR ROAD AND EDGEWOOD DRIVE COMMERCIAL IMPROVEMENTS
PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Excelsior Road and Edgewood Drive Improvements Project monthly update. WSB Consulting Engineer Rickart informed the commission that paving will start on Saturday and striping will be taking place next Thursday.

**2018 EXCELSIOR ROAD AND EDGEWOOD DRIVE COMMERCIAL IMPROVEMENTS
PROJECT CHANGE ORDER NO. 5**

WSB Consulting Engineer Rickart presented Change Order No. 5 for the 2018 Excelsior Road and Edgewood Drive Commercial Improvements Project. The following modification for Change Order No. 5 is listed below:

- Irrigation system modifications at Brenny Funeral Chapel.
- Irrigation modifications at the strip mall.
- Irrigation modifications at Cub Foods.
- Irrigation modifications at Holiday.
- Irrigation modifications at Cash Wise Liquor.
- Televising of the existing storm sewer between Brenny and Cub Foods.
- Traffic control – specialty signs for businesses.

MOTION by Commissioner Christofferson, seconded by Commissioner Franzen to recommend City Council approve the Pratt’s Affordable Excavating, Inc. Change Order No. 5 in the increased amount of \$50,831.23 for the 2018 Excelsior Road and Edgewood Drive Commercial Improvements Project. Motion carried unanimously.

2018 EXCELSIOR ROAD AND EDGEWOOD DRIVE COMMERCIAL IMPROVEMENTS
PROJECT PARTIAL PAY ESTIMATE NO. 7

WSB Consulting Engineer Rickart reviewed Partial Pay Estimate No. 7 with the commission for the 2018 Excelsior Road and Edgewood Drive Commercial Improvements Project. Mr. Rickart has no concerns with Partial Pay Estimate No. 7 and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve Pratt’s Affordable Excavating, Inc. Partial Pay Estimate No. 7 in the amount of \$257,505.65 for the 2018 Excelsior Road and Edgewood Drive Commercial Improvements Project. Motion carried unanimously.

2018 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS
PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project monthly update. There was no new information or questions from the commission or the public.

2018 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS
PROJECT CHANGE ORDER NO. 3

WSB Consulting Engineer Rickart presented Change Order No. 3 for a three-week time extension for the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project. Mr. Rickart has no concerns with Change Order No. 3 and recommends approval.

MOTION by Council Liaison Cross, seconded by Commissioner Christofferson to recommend City Council approve the Anderson Brothers Construction Change Order No. 3 request for a three-week extension for the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project. Motion carried unanimously.

2018 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS
PROJECT PARTIAL PAY ESTIMATE NO. 3

WSB Consulting Engineer Sonmor reviewed Partial Pay Estimate No. 3 with the commission for the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project. Mr. Rickart has no concerns with Partial Pay Estimate No. 3 and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve Anderson Brothers Construction Partial Pay Estimate No. 3 in the amount of \$257,222.78 for the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project. Motion carried unanimously.

BIOLOGICAL FILTRATION WATER TREATMENT PLANT PILOT STUDY MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the Biological Filtration Water Treatment Plant Pilot Study Monthly Update Memo. There was no new information or questions from the commission or the public.

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

Chairman Yliniemi inquired if there were any questions or concerns with the 2015 Dellwood Drive, Novotny Road, Inglewood Drive and Independence Road Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

2016 MILL & OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2016 Mill & Overlay, Full Depth Reclamation and Right Turn Lane Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

2017 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT AND 2017 EXCELSIOR ROAD RESIDENTIAL FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Mill & Overlay and Full Depth Reclamation Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

2017 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT AND 2017 EXCELSIOR ROAD RESIDENTIAL FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT FINAL PAY ESTIMATE NO. 6

WSN Consulting Engineer Welch requested the commission table Final Pay Estimate No. 6 for the 2017 Mill & Overlay and Full Depth Reclamation Improvements Project and 2017 Excelsior Road Residential Full Depth Reclamation Improvements Project until the November 7th meeting. Mr. Welch informed the commission that Tri-City Paving had been purchased by Knife River and there are some questions on quantities and dollar amounts.

MOTION by Council Liaison Cross, seconded by Commissioner Franzen to table the Tri-City Paving, Inc. Final Pay Estimate No. 6 in the amount of \$25,190.83 for the 2017 Mill & Overlay and Full Depth Reclamation Improvements Project and 2017 Excelsior Road Residential Full Depth Reclamation Improvements Project. Motion carried unanimously.

2017 COUNTY STATE AID HIGHWAY 48 RAILROAD CROSSING & TRAIL IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 County State Aid

Highway 48 Railroad Crossing and Trail Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

2019 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT RFP & UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2019 Mill & Overlay and Full Depth Reclamation Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

EAGLE DRIVE AREA IMPROVEMENTS PROJECT MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the Eagle Drive Area Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

HOLIDAY STATION STORE CONTAMINATION PROJECT MONTHLY UPDATE.

Chairman Yliniemi inquired if there were any questions or concerns with the Holiday Station Store Contamination Project Monthly Update Memo. There was no new information or questions from the commission or the public.

SECTION 6 AREA A1 STORMWATER OUTLET DESIGN FROM CLEARWATER ROAD TO WOIDA ROAD MONTHLY PROJECT UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the Section 6 Area A1 Stormwater Outlet from Clearwater Road to Woida Road Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

WATER TREATMENT PLANT GENERATOR MONTHLY PROJECT UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the Water Treatment Plant Generator Monthly Project Update. There was no new information or questions from the commission or the public.

2018 SANITARY SEWER SMOKE TESTING MONTHLY UPDATE

Chairman Yliniemi inquired if there were any questions or concerns with the 2018 Sanitary Sewer Smoke Testing. WSN Consulting Engineer Welch informed the commission that all field work has been completed except for several parcels near the Cypress Drive Improvements area. The complete smoke testing report will be at the November Commission meeting.

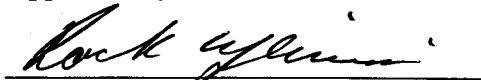
AUGUST WATER AUDIT

The August water audit was submitted to the commission as information only.

ADJOURNMENT

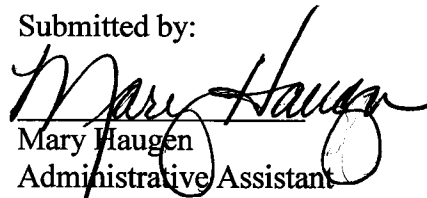
MOTION by Commissioner Christofferson, seconded by Commissioner Franzen to adjourn the meeting at 6:45 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi
Chairman

Submitted by:



Mary Haugen
Administrative Assistant