

## UTILITIES COMMISSION

October 4, 2017

The regular meeting of the Baxter Utilities Commission was called to order at 5:30 p.m. by Chairman Rock Yliniemi.

MEMBERS PRESENT: Commissioner Doug Wolf, Commissioner Jack Christofferson, Commission Chairman Rock Yliniemi and Council Liaison Mark Cross.

MEMBERS ABSENT: Commissioner Dave Franzen.

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

OTHERS PRESENT: WSN Consulting Engineer Aric Welch, SEH Consulting Engineer Scott Hedlund, WSB Consulting Engineers Chuck Rickart & Chris Sonmor, Bolton & Menk Consulting Engineer Bryan Drown and Steve & Debbie Vitale.

Chairman Yliniemi informed the audience that all monthly project updates would not be reviewed in detail unless there was new information available or there were questions from the audience or commission on what was submitted in the packets.

### **APPROVAL OF MINUTES**

**MOTION** by Commissioner Christofferson, seconded by Commissioner Wolf to approve the Utilities Commission minutes of September 6, 2017. Motion carried unanimously.

### **2017 NORTH WATER TOWER REHABILITATION PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 North Water Tower Rehabilitation Project Monthly Update Memo. There was no new information or questions from the commission or the public.

### **2017 CHIP SEAL IMPROVEMENTS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Chip Seal Improvements Project Monthly Update Memo. Bolton & Menk Consulting Engineer Drown informed the commission there is one remaining item on the punch list to be completed which is cleaning up the storage area by the North Water Tower. The area is still wet and the contractor feels they will do more damage to the area trying to clean it up.

The project schedule has been tough and was not completed in a continual manner. The project has run past the completion date. Commissioner Wolf inquired if the City should consider liquidated damages. The project was bid in February, awarded in May and the construction requirements had completion by August 15<sup>th</sup>. The project started on August 14<sup>th</sup>. Commissioner Christofferson inquired if the contractor had requested any time extension. Mr. Drown stated no request had been received.

Mr. Drown explained that proving liquidated damages can be difficult. Public Works Director/City Engineer Walter inquired on the amount of additional engineering fees that have been needed. Dr. Drown stated that approximately \$12,500.00 have been accrued to date as an overrun in engineering fees on the project because the project has been dragged out for too many

weeks.

Council Liaison Cross stated that he understood the reluctance to prove some of the damages on the contracted amount and maybe there needs to be some interpretation from the City Attorney. Council Liaison Cross stated the contractor agreed to do the project by a certain date and agreed to the liquidated damages by contract if the project wasn't completed on time. The damage is extra engineering fees and is the City getting the best product since the contractor waited to the end of the season.

The contractor had a six-week window and waited until a day before the contract was due to start the project. There was ample opportunity to contact the City to request a time extension.

**MOTION** by Council Liaison Cross, seconded by Commissioner Wolf to direct staff and contracted engineering to put together the rationale to proceed with liquidated damages and send the memo to City Attorney for interpretation. Motion carried unanimously.

Public Works Director/City Engineer Walter stated the information will be presented to City Attorney Person and will return to the Utilities Commission on how to proceed. Council Liaison Cross requested accounting information on the extra engineering fees and staff time. Mr. Walter stated the City does not do cost accounting so there is no way to prove the staff time associated with the project.

### **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 LIFT STATION NO. 3 REROUTE IMPROVEMENTS PROJECT PLANS AND SPECIFICATIONS**

The commission reviewed the project plans and specifications. Public Works Director/City Engineer Walter had no concerns with the plans and specifications and recommended approval of the plans and specifications.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the 2017 Lift Station No. 3 Re-route Improvements Project Plans and Specifications and authorize staff to bid the project. Motion carried unanimously.

### **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 Memo. SEH Consulting Engineer Hedlund gave a brief update on the Fairview Road/Super One Project due to rain delays in the last two weeks.

Chairman Yliniemi inquired if the curb plans (gutter width) could be trimmed down, since the City uses straight salt and would this help extend the life of the curb and gutter. Mr. Hedlund stated the current standard is a 24-inch gutter but he could review what other cities use.

Public Works Director/City Engineer Walter stated that there are additives that can be placed in the concrete and surface treatments to the curb which could also extend the life of the concrete curb and gutter. The larger curb helps with the drainage flow since the City has such flat slopes

on the roadway. Mr. Walter also noted that catch basin grates standard size is for a 24-inch curb to allow maintenance staff to clean and maintain the catch basins.

**2022 CYPRESS DRIVE CONNECTION TO WOIDA ROAD IMPROVEMENTS PROJECT FEASIBILITY REPORT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2022 Cypress Drive Connection to Woida Road Improvements Project Feasibility Report Monthly Update. There was no new information or questions from the commission or the public.

**2022 CYPRESS DRIVE CONNECTION TO WOIDA ROAD IMPROVEMENTS PROJECT FEASIBILITY REPORT PRELIMINARY LAYOUT REVIEW**

SEH Consulting Engineer Hedlund informed the commission the City Council concurred with the commission findings on the crossing west of the intersection and the curve option and to remove the bike lanes on Woida Road but have a cost option available for the bike lanes in the report.

**2020 FAIRVIEW ROAD, GOLF COURSE DRIVE, EXCELSIOR ROAD AND TRAIL CONNECTION IMPROVEMENTS PROJECT FEASIBILITY REPORT STATUS AND NEXT STEPS**

SEH Consulting Engineer Hedlund informed the commission that City Council concurred with the commission findings on full reconstruction on all three roads. Reconstruction of Fairview Road and Golf Course Drive would to the existing widths with some striping modifications for bike lanes on Gold Course Drive. Excelsior Road would be reconstruction approximately two and a half feet on each side to allow for bike lanes.

**SEH AGREEMENT FOR PROFESSIONAL SERVICES FOR THE 2020 FAIRVIEW ROAD, GOLF COURSE DRIVE, EXCELSIOR ROAD AND TRAIL CONNECTION IMPROVEMENTS PROJECT FEASIBILITY REPORT ADDITIONAL SERVICES**

SEH Consulting Engineer Hedlund gave brief review of the engineering agreement facilitating to the field location of the private utilities, surveying all private utilities after location and procuring quotes for the televising of the sanitary sewer and storm sewer and reviewing the televising results.

**MOTION** by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the SEH Agreement for Professional Services in the not to exceed amount of \$9,880.00 for the 2020 Fairview Road, Golf Course Drive, Excelsior Road and Trail Connection Improvements Feasibility Report Additional Services. Motion carried unanimously.

**2020 FAIRVIEW ROAD, GOLF COURSE DRIVE, EXCELSIOR ROAD AND TRAIL CONNECTION IMPROVEMENTS PROJECT SANITARY SEWER AND STORM SEWER TELEVISIONING QUOTES**

SEH Consulting Engineer Hedlund informed the commission that no quotes were received by the deadline. No action was taken on the item. Public Works Director/City Engineer Walter requested the quotes be resolicited with just televising the sanitary sewer and storm sewer piping and extend the date to spring of 2018.

SEH Consulting Engineer Hedlund stated the costs in the report would be adjusted to replace the storm sewer system in the project area and the costs can always be reduced after the televising is completed in the spring of 2018.

**SEH AGREEMENT FOR PROFESSIONAL SERVICES FOR THE 2019 GREENWOOD**

## **ROAD IMPROVEMENTS FEASIBILITY REPORT**

SEH Consulting Engineer Hedlund reviewed the Agreement for Professional Services. Public Works Director/City Engineer Walter had no concerns with the agreement and recommended approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the SEH Agreement for Professional Services in the not to exceed amount of \$1,500.00 for the 2019 Greenwood Road Improvements Feasibility Report. 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. There was no new information or questions from the commission or the public.

## **2017 ELDER DRIVE IMPROVEMENTS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Elder Drive Improvements Project. There was no new information or questions from the commission or the public.

## **2017 ELDER DRIVE IMPROVEMENTS PROJECT CHANGE ORDER NO. 2**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Elder Drive Improvements Change Order No. 2. WSB Consulting Engineer Sonmor has no concerns and recommends approval of the change order. The change order was for pedestrian ramp modifications to meet ADA standards.

Public Works Director/City Engineer Walter stated the costs associated with the Change Order will be billed back to the Developer 100% as per the Developers Agreement.

**MOTION** by Council Liaison Cross, seconded by Commissioner Christofferson to recommend City Council approve the DeChantal Excavating, LLC Change Order No. 2 in the amount of \$6,814.30 for the 2017 Elder Drive Improvements Project. Motion carried unanimously.

## **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 2017 Dellwood Drive and 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 – TURF ESTABLISHMENT**

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. WSN Consulting Engineer Welch informed the commission that paving on the east end of Excelsior Road started today and with any luck the base course of pavement should be completed this week.

**2017 MILL & OVERLAY AND FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT AND 2017 EXCELSIOR ROAD RESIDENTIAL FULL DEPTH RECLAMATION IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 1**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Mill & Overlay and Full Depth Reclamation Improvements Project and 2017 Excelsior Road Residential Full Depth Reclamation Improvements Project Partial Pay Estimate No. 1. WSN Consulting Engineer Welch has no concerns with the pay estimate and recommends approval of the pay estimate.

**MOTION** by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the Tri-City Paving Inc. Partial Pay Estimate No. 1 in the amount of \$97,900.47 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 SILENT RAILROAD CROSSING AND TRAIL IMPROVEMENTS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 Crow Wing County CSAH 48 Mill & Overlay Improvements Project Monthly Update Memo. There was no new information or questions from the commission or the public.

**INGLEWOOD DRIVE RAILWAY CROSSING & FOLEY ROAD IMPROVEMENTS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the Inglewood Drive Railway Crossing and Foley Road Improvements Project. There was no new information or questions from the commission or the public.

**MS4 PERMIT REVIEW COMPLIANCE MONTHLY PROJECT UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the MS4 Permit Review Compliance Project Monthly Update Memo. There was no new information or questions from the commission or the public.

**ANNUAL WATER AUDIT IMPLEMENTATION MONTHLY PROJECT UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the Annual Water Audit Implementation Project Monthly Update Memo. There was no new information or questions from the commission or the public.

**SOUTHEAST BAXTER STORMWATER OUTLET FEASIBILITY REPORT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the Southeast Baxter Stormwater Outlet Improvements 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 Stormwater 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

**ADA TRANSITION PLAN PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the ADA Transition Plan Project Monthly Update Memo. Public Works Director/City Engineer Walter informed the commission the Public Informational Input meeting has been set for Thursday, November 21<sup>st</sup> at 6:00 p.m.

**2018 BAXTER DRIVE IMPROVEMENTS PROJECT MONTHLY UPDATE**

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

**2018 BAXTER DRIVE IMPROVEMENTS FEASIBILITY REPORT**

WSN Consulting Engineer Welch reviewed the feasibility report with the commission. Public Works Director/City Engineer Walter requested replacing the storm sewer piping in the report until the televising can be completed in the spring of 2018 and the costs can be adjusted in the report if replacement isn't needed. Mr. Welch stated that this would be a significant cost in the report since it is a 42-inch reinforced concrete pipe.

Mr. Welch reviewed two parcels that will be necessary for the city to acquire through purchase or easement to do the project as presented in the report. There will be an informational meeting held in the future on this proposed project and the additional right of way can be addressed at that time.

**MOTION** by Council Liaison Cross, seconded by Commissioner Christofferson to recommend City Council accept the 2018 Baxter Drive Improvements Feasibility Report with the addition of the replacement of the 42-inch storm sewer line within city right-of-way. Motion carried unanimously.

**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.

**CITY SPECIFICATIONS AND CONSTRUCTION DETAILS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the City Standard Specifications and Construction Details Project Monthly Update Memo. 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 Feasibility Report Monthly Update Memo. There was no new information or questions from the commission or the public.

**SOUTH INTERCEPTOR AND NORTH FORESTVIEW IMPROVEMENTS PROJECT MONTHLY UPDATE**

Chairman Yliniemi inquired if there were any questions or concerns with the South Interceptor

and North Forestview Area Improvements Project Feasibility Report Monthly Update. There was no new information or questions from the commission or the public.

**2017 – 2018 WATER TREATMENT PLANT FLUME REPLACEMENT PROJECT**

Chairman Yliniemi inquired if there were any questions or concerns with the 2017 – 2018 Water Treatment Plant Flume Replacement Project Monthly Update. There was no new information or questions from the commission or the public.

**OTHER BUSINESS**

**MOTION** by Council Liaison Cross, seconded by Commissioner Christofferson to reschedule the next Utilities Commission meeting to November 1, 2017. Motion carried unanimously.

**ADJOURNMENT**

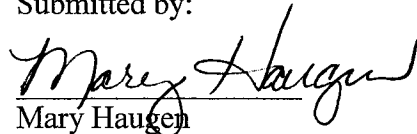
**MOTION** by Council Liaison Cross, seconded by Commissioner Christofferson to adjourn the meeting at 6:35 p.m. Motion carried unanimously.

Approved by:



Rock Yliniemi  
Chairman

Submitted by:



Mary Haugen  
Administrative Assistant