

UTILITIES COMMISSION

October 5, 2016

The regular meeting of the Baxter Utilities Commission was called to order at 5:31 p.m. by Commissioner Shawn Crochet.

MEMBERS PRESENT: Commissioners Jack Christofferson, Doug Wolf, Acting Chairman Shawn Crochet and Council Liaison Mark Cross.

MEMBERS ABSENT: Commissioner Dave Franzen and Chairman Rock Yliniemi.

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 Engineer Chuck Rickart, Bolton & Menk Consulting Engineer Mike Rardin, Steve & Debbie Vitale, and Keith Bachman.

APPROVAL OF MINUTES

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to approve the Utilities Commission minutes of September 7, 2016. Motion carried unanimously.

WSN PROPOSAL FOR ENGINEERING SERVICES FOR THE FORESTVIEW AREA STORMWATER OUTLET STUDY

Public Works Director/City Engineer Walter informed the commission the City has received concerns/complaints regarding the elevated water levels from residents along Scenic River Drive and several business owners within the Industrial Park Phase II area.

The catch basins in the loading dock areas along College Road, Dogwood Drive and Goedderz Road have water that is either standing in the loading dock areas or recedes to about 2" to 6" below the top of the grate. Public Works Director/City Engineer Walter reviewed the storm sewer piping, elevations and drainage within the area and gave past history on the phasing of the Industrial Parks and storm water system.

Steve & Debbie Vitale who have buildings located at 13469 & 13499 Dogwood Drive informed the commission that when they purchased the Dogwood Drive site there was 5 feet of fill that was brought onto the site before construction began. The loading docks have standing water since the storm water pipe backs up with the excessive rain events this summer.

The commission held an extensive discussion on the existing conditions, elevations and directional flow of the stormwater ponds in the Industrial Park area. Public Works Director/City Engineer Walter stated the WSN engineering proposal will help find out the reasons behind these concerns and hopefully some solutions with proposed costs. A short term solution would be to pump the water to the south pond in Industrial Park Phase III without overflowing onto the county's tax forfeited property located on Hastings Road.

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WSN Consulting Engineer Welch reviewed the WSN Proposal to prepare a preliminary stormwater study to investigate a potential outlet/overflow for the isolated wetlands located near the intersection of Highland Scenic Road (CSAH 48) and Evergreen Drive.

With the precipitation the City has experienced over the last several months, surface water and ground water elevations within the City are nearing an all-time high. The large wetland complex located west of Evergreen Drive is directly connected to the smaller wetland located south of CSAH 48 and east of Scenic River Drive. These wetlands are located at the bottom of the immediate watershed area and rising water levels are beginning to pose a threat to adjacent developed and undeveloped properties.

WSN understands that the City would like to investigate the potential of adding a stormwater outlet/overflow through the Forestview residential neighborhood to the Mississippi River. WSN is aware that some outlet ditching work was completed by a private developer roughly around the time the property was platted in 1991. Evidence of the ditch is still visible through the First Addition to Mississippi Bluffs.

WSN proposed scope of services is as follows:

- Meet with City staff to define the study area and identify the study parameters.
- Create a base map of the study area using available property information, aerial photos, topography information and LiDAR surface data.
- Complete a supplementary topographic survey to ground truth the LiDAR data and pick up additional items such as culverts that are not evident or visible in the aerial photography.
- Meet with the property owner of out lots in the First Addition to Mississippi Bluffs to get the history on the ditch work completed in the early nineties.
- Review potential stormwater outlet locations.
- Layout potential stormwater conveyance options.
- Review permitting requirements of the proposed storm sewer outlet to the Mississippi River.
- Calculate proposed improvement costs.
- Compile and summarize findings in a letter report format.
- Present the study to the Utilities Commission and City Council.

WSN proposes to perform the services described above on an hourly basis, in accordance with the attached fee schedule, for the Lump Sum fee of \$5,750. WSN proposes to have the report completed within 45 days of the notice to proceed.

MOTION by Council Liaison Cross, seconded by Commissioner Wolf to approve the WSN Proposal for Engineering Services for the Forestview Area Stormwater Outlet Study in the lump sum fee of \$5,750.00 and as a short term solution pump the water to the south pond in Industrial

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Park Phase II without overflowing onto the county's tax forfeited property. Motion carried unanimously.

WATER TREATMENT PLANT FLOAT DOWN DECANter

Public Works Director/City Engineer Walter reviewed the February approval of the engineering and design of the decanter. Staff would like to install the float down decanter in November or December when the basin is drained. Public Works Director/City Engineer Walter submitted the WW Goetsch Backwash Recycle Pump Decanter proposal and recommends approval.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the WW Goetsch Backwash Recycle Pump Decanter in the amount of \$11,283.00. Motion carried unanimously.

DRAFT STRIPING POLICY

Public Works Director/City Engineer Walter gave a brief update on the striping policy that staff had started several years ago and the need to get the policy finished recommended to City Council for approval.

The commission discussed striping in residential and commercial areas and the need to be consistent throughout the entire city. The striping budget is \$30,000.00 - \$35,000.00 per year which is approximately 7 – 8% of the total annual streets budget.

Commissioner Christofferson stated that his neighborhood had centerline striping done this year after the mill and overlay was completed. The new surface has increased the speed on the road and the striping is keeping the vehicles on the right side of the road. His neighborhood never had stripes before and he thinks it's a nice improvement.

WSB Consulting Engineer Rickart provided a copy of a striping policy that he did for another city. Mr. Rickart stated that most cities do have centerline striping on their streets although very low volume roads may not require any stripes.

Public Works Director/City Engineer Walter requested the commission travel a few of the residential and commercial streets to review the existing striping before the next Utilities Commission meeting in November. WSB Consulting Engineer Rickart will also do a visual inspection of several residential streets and be ready to discuss at the next meeting with the commission. The goal is to have the striping policy in place by the end of the year.

WSB TRAFFIC STUDY FOR THE DELLWOOD DRIVE DEVELOPMENT AND ADJACENT AREA

WSB Consulting Engineer Chuck Rickart reviewed the traffic study proposal for the Dellwood Drive development site and the adjacent area. The traffic study will be conducted to determine the impacts on the surrounding transportation system and will include the analysis of Dellwood Drive including the intersections of Whispering Woods Lane, Menards north and south

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entrances, Country Inn and Suites/ Holiday gas station entrance, Woida Road, and TH 371 at Woida Road.

There is a proposed development at the former Wells Fargo Bank site; however, there is no site plan at this time since the property owners are still making changes and working on access issues with Menards.

Council Liaison Cross stated this development does warrant a traffic study to look at current and future access and impacts to Dellwood Drive.

Public Works Director/City Engineer Walter stated the developer will pay for \$6,000.00 of the proposed study the remaining amount is city cost since the City requested an expanded area review of the TH 371 and Woida intersection.

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the WSB Traffic Study Proposal for the Dellwood Drive Development and Adjacent Area in the not to exceed amount of \$10,150.00. Motion carried unanimously. _

DAKAR ROAD OFFICIAL MAPPING

Public Works Director/City Engineer Walter explained this section of roadway has never been officially mapped. The proposal is to officially map Dakar Road from Cherrywood Drive to Kimberlee Drive. WSN Consulting Engineer Welch reviewed the survey sketch and description map for Dakar Road showing the proposed road alignment.

MOTION by Council Liaison Cross, seconded by Commissioner Christofferson to advise the Long Range Planning Commission that the Utilities Commission recommends approval of officially mapping Dakar Road from Kimberlee Drive to Cherrywood Drive. Motion carried unanimously.

DAKOTA SUPPLY GROUP FIXED NETWORK WATER METER REPLACEMENT PROJECT CHANGE ORDER NO. 1

Public Works Director/City Engineer Walter reviewed the Dakota Supply Group Change Order No. 1 for the 2016 Fixed Network Water Meter Replacement Project. Public Works Director/City Engineer Walter has no concerns with Change Order No. 1 and recommends approval.

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the Dakota Supply Group Change Order No. 1 in the increased amount of \$36,129.50 and a time extension request for the final completion date change from November 30, 2016 to December 31, 2016 for the 2016 Fixed Network Water Meter Replacement Project. Motion carried unanimously.

DAKOTA SUPPLY GROUP FIXED NETWORK WATER METER REPLACEMENT PROJECT PARTIAL PAY ESTIMATE NO. 2

Public Works Director/City Engineer Walter reviewed the Dakota Supply Group Partial Pay Estimate No. 2 for the 2016 Fixed Network Water Meter Replacement Project. Public Works Director/City Engineer Walter had no concerns with Partial Pay Estimate No. 2 and recommends approval.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the Dakota Supply Group Partial Pay Estimate No. 2 in the amount of \$93,269.56 for the 2016 Fixed Network Water Meter Replacement Project. Motion carried unanimously.

2016 CITY OF BAXTER CHIP SEALING PROJECT UPDATE

Bolton & Menk Consulting Engineer Rardin reviewed past sealcoat projects, 2016 PASER rating results, an evaluation of improvements made to the street network over the past three years, and street segments proposed for 2017 sealcoating.

The City has combined their past sealcoat projects with Crow Wing County for a variety of reasons. Now that the City program is more fully developed and of considerable size, contracting for this work separately from the County is recommended by both Consulting Engineer Rardin and City Staff. The following rationale supports this recommendation:

- The City will directly own the contract resulting in better communications with and control of the contractor.
- City project needs are different than the County so inherent conflicts occur (materials, operations, construction timing, contractor skills /experience to name a few).
- Total City project costs (Admin, Design Engineering and Construction Engineering) are expected to remain the same or be reduced in cost.

Public Works Director/City Engineer Walter felt that communications would be smoother since the City would be in control of the contract and have direct contact with the contractor.

Consensus of the commission was to continue with Bolton & Menk as the project engineer for the 2017 Chip Seal Project. The commission recognizes the city's Requests for Proposals Policy; however, they believe it to be in the best interest of the City to deviate from the schedule and threshold established within this policy since Bolton & Menk has been the project engineer for the past four years with a considerable amount of knowledge and experience.

Utilities Commission requested Bolton & Menk Consulting Engineer Rardin return to the November 2, 2016 commission meeting with as engineering proposal for the 2017 City of Baxter Chip Sealing Project.

2016 GOLF COURSE DRIVE IMPROVEMENTS PROJECT UPDATE

Bolton & Menk Consulting Engineer Rardin reviewed the project update.

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Work Progress - Sixth Update

Since the last project update the Contractor has completed street grading, aggregate base construction, pavement reclamation on the north and south ends of the project, construction of all concrete curb/gutter and flatwork, construction of the bituminous pavement base course, sprinkler repairs, and sealed the joints of the 66" storm sewer; and, the contractor is currently grading and spreading topsoil behind the curbs along with raising iron in anticipation of wear course construction shortly.

The City considered and approved Change Order No. 1, approximately \$12,950 during September. This also changed the substantial completion date from September 30th to October 7th.

Project Schedule

Based on the contractor's proposed schedule, the following is a brief summary of future construction activities:

September - complete turf establishment in both the reconstruction and reclamation areas

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

The contractor appears to be on the schedule they proposed for this project. No schedule concerns are noted at this time.

Completion Dates

The contract calls for substantial completion by October 7th with final completion by October 14th.

Costs

Construction costs have increased approximately another \$20,720 due to the following changes:

Item	Reason	Approximate Cost
Storm Sewer Repair	Hole found in existing storm sewer / subgrade collapse; realignment / setting of existing catch basins and castings	\$5,300
Curb Removal / Replacement	Additional repairs discovered after reclamation was completed	\$4,100
Pave Universal Drive	Additional pavement needed to be removed and replaced due to storm sewer installation / traffic	\$5,300
Concrete Driveway Entrances	Replacement of 6 entrances with concrete pavement rather than the planned bituminous pavement	\$6,020

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These changes have increased the project cost approximately \$33,800. All of the above changes were either requested or found to be acceptable to the Project Engineer and City staff.

The first change above has been incorporated into Change Order Number 2. The other changes identified above will be incorporated into a future change order for future Commission consideration. A 5% contingency in the amount of \$54,505 has been allowed for in this project.

The City should be aware that the work associated with the possible storm sewer relocations has resulted in extra engineering work and costs. The City Council was appraised of the estimated costs for this extra work, the storm sewer inspection costs, and the storm 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 engineering services for the project have been continuing as agreed to according to the existing "Not to Exceed" contract.

2016 GOLF COURSE DRIVE IMPROVEMENTS PROJECT CHANGE ORDER NO. 2

Bolton & Menk Consulting Engineer Rardin reviewed Change Order No. 2 for the 2016 Golf Course Drive Improvements Project with the commission. The change order included the following items:

- Concrete curb & gutter rebar
- Reconstruct drainage structure
- Realign existing catch basin structures
- Reinstall castings

Bolton & Menk Consulting Engineer Rardin had no concerns with Change Order No. 2 and recommends approval.

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the Anderson Brothers Change Order No. 2 in the increased amount of \$5,281.00 for the 2016 Golf Course Drive Improvements Project. Motion carried unanimously.

2016 GOLF COURSE DRIVE IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 2

Bolton & Menk Consulting Engineer Rardin reviewed Partial Pay Estimate No. 2 for the 2016 Golf Course Drive Improvements Project with the commission. Bolton & Menk Consulting Engineer Rardin had no concerns with Partial Pay Estimate No. 2 and recommends approval.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the Anderson Brothers Partial Pay Estimate No. 2 in the amount of \$410,194.36 for the 2016 Golf Course Drive Improvements Project. Motion carried unanimously.

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2015 MILL AND OVERLAY PROJECT UPDATE

SEH Consulting Engineer Hedlund submitted the following summary of the final project costs:

Construction:	\$2,205,026.00
Engineering and Testing:	\$ 229,810.00
Admin, Legal, Miscellaneous*:	\$ 66,164.00
Total:	\$2,501,000.00

*Assumed 3%.

The total project cost estimated for final assessments was \$2,542,385.00. The project is still under budget at approximately \$41,000 dollars.

2015 MILL AND OVERLAY IMPROVEMENTS FINAL PAY ESTIMATE NO. 6

SEH Consulting Engineer Hedlund reviewed Final Pay Estimate No. 6 for the 2015 Mill & Overlay Improvements Project with the commission. Mr. Hedlund had no concerns with Final Pay Estimate No. 6 and recommends approval.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the Anderson Brothers Final Pay Estimate No. 6 in the amount of \$33,463.68 for the 2015 Mill and Overlay Improvements Project. Motion carried unanimously.

2016 FAIRVIEW ROAD IMPROVEMENTS PROJECT UPDATE

SEH Consulting Engineer Hedlund gave an update on the status of the various work tasks on the 2016 Fairview Road Improvements project:

Construction

The final walk through with the City, SEH, and Contractor was on September 8, 2016. Project construction is complete with the exception of some miscellaneous punch list items.

Private Utility Work

With the exception of CTC reinstalling some vault location marker signs, and CenterPoint Energy reinstalling some facility markers/signs, the private utility work in the corridor is complete.

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

Total project budget:

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

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Total final costs are still being calculated and reviewed, but it appears it will be close to the \$1.3 Million Dollars.

Consultant budget:

There are no unapproved scope changes at this time.

2016 FAIRVIEW ROAD IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 4

SEH Consulting Engineer Hedlund reviewed Partial Pay Estimate No. 4 for the 2016 Fairview Road Improvements Project with the commission. SEH Consulting Engineer Hedlund had no concerns with Partial Pay Estimate No. 4 and recommends approval.

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the Anderson Brothers Partial Pay Estimate No. 4 in the amount of \$93,513.37 for the 2016 Fairview Road Improvements Project. Motion carried unanimously.

2018 CYPRESS DRIVE IMPROVEMENTS PROJECT FROM COLLEGE ROAD TO EXCELSIOR ROAD MEMORANDUM

SEH Consulting Engineer Hedlund gave an update on the status of the various work tasks on the project:

Preliminary Design

- Topographic design survey update work has started.
- Gopher state one call utility locate tickets have been called in.
- Property ownership and encumbrance reports have been ordered.
- Traffic study update work has started.
- Stormwater design update work has been started.
- Geometric design update work has started.

Railroad Agreements

- Working with BNSF on site access.

Phase 1 Environmental Site Assessment

- Agency files have been requested, records ordered
- Contacts have been made with MNDOT, BNSF environmental staff.
- Started background assessment work.

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

Total project budget:

- The preliminary total project budget based on the 2016 bonding bill request is \$10.8M.
- An updated budget is being developed with the preliminary design.

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Consultant budget:

There are no unapproved scope changes at this time.

Mr. Hedlund explained that part of the scope for the recent SEH Cypress Drive contract was reviewing the adequacy of past geotechnical evaluation reports (i.e. soil borings) in the project area and make a recommendation on the need for additional investigation. There is inadequate soil boring information on the Cypress Drive corridor south of the railroad property. Mr. Hedlund recommends hiring Braun Intertec to complete a geotechnical evaluation report for this area.

The Braun scope will include 14 (each) standard penetration test borings generally ranging from 15 – 20 feet in depth, and 1 (each) double split ring infiltrometer test in a proposed stormwater pond area. The report will contain recommendations on general construction of street and utility improvements, including assumed R-value, subgrade corrections, trench excavation and backfill, pipe bedding, and dewatering.

The proposed fee is not to exceed \$12,870.00 with Braun as a sub consultant to SEH which has been past practice on other City projects. A formal contract is planned to be brought to the October 18, 2016 City Council meeting for final approval consideration.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the SEH/Braun Intertec contract for soil borings in the not to exceed amount of \$12,870.00 for the 2018 Cypress Drive Improvements Project. Motion carried unanimously.

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

Shouldering, turf restoration and pavement markings are now complete and the Contractor has been working on punch list items.

Work Remaining

The signage for the project including “No Parking” signs on Maplewood Drive and trail signs on College Road and Cedardale Lane have not been completed. The signs have been ordered and should be installed in the next couple of weeks. The Contractor also continues to work on final punch list items. WSN anticipates all work will be complete and ready for final payment by the middle of October.

Changes

Permanent Erosion Control

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- Flexamat (permanent erosion control mat similar to rip rap) was installed at the curb spillway on the 90-degree Maplewood Drive curve, the storm sewer outlet to White Sand Lake and the driveway culvert on John Street.

Maplewood Signage

- “No Parking” signs will be added to the curbed sections of roadway by the school and 90-degree curve. Sign modifications are also planned for the dead end portion of the Maplewood Drive east of Art Ward Drive.

A Change Order will be prepared to address the changes outlined above and in the previous project updates. The Change Order will accompany the final pay estimate.

Pay Estimate

Total earned to date to the Contractor is \$806,865.64. Retainage is \$40,343.28 or 5% of the amount earned. Total due this pay estimate is \$61,757.17. The project is currently under budget.

2016 MILL AND OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE CONSTRUCTION PROJECT PARTIAL PAY ESTIMATE NO. 3

WSN Consulting Engineer Welch reviewed Partial Pay Estimate No. 3 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. 3 and recommends approval.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the Tri-City Paving Partial Pay Estimate No. 3 in the amount of \$61,757.17 for the 2016 Mill & Overlay, Full Depth Reclamation and Right Turn Lane Construction Project. Motion carried unanimously.

WSN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES – FEE AMENDMENT REQUEST FOR THE 2016 MILL AND OVERLAY, FULL DEPTH RECLAMATION AND RIGHT TURN LANE CONSTRUCTION PROJECT

During the course of the project WSN completed additional work that WSN feels is above and beyond the original scope of the project. The changes in project scope and associated fee amendment are summarized below:

Change in Project Scope	Requested Fee Amendment
Maplewood Drive Corner Storm Sewer and Curb	\$1,669.50

This work is associated with the preliminary design, final design, construction staking and construction observation of the curb and storm sewer installed at the 90-degree curve. The curb and storm sewer was not part of the original design and was added by the Council after reviewing the options prepared by the Engineer.

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Maplewood Drive Signage \$718.00

This work is associated with the addition of "No Parking" signs along the curbed portions of the roadway by the school and the 90-degree curve. Signage modifications were also made to the dead end portion of Maplewood Drive east of Art Ward Drive.

Cemetery Paving \$1,558.00

This work is associated with the coordination and construction observation of the grading and paving of the Cemetery roadways. Additional work included coordination and construction observation.

Additional Ditch Work \$741.00

This work is associated with additional swale work on Maplewood Drive. Additional swales were constructed along the west side of Maplewood Drive near the 90-degree curve. Additional work included coordination, agreement preparation for work on private property and construction observation.

Mill & Overlay Additional Bituminous Patching \$1,239.00

This additional work is associated with construction observation of the additional bituminous patching work required in the residential mill & overlay project area. The estimated bituminous patching quantity was 1,010 SY. The actual quantity of patching was 2,263 SY. Madeline Drive was also patched/overlaid with 1.5" of bituminous before receiving the final 2" bituminous overlay.

College Road Trail Signage and Ped Ramp \$774.00

This additional work is associated with the addition of the pedestrian curb ramp and associated trail signage for the private drive located just west of Navillus Court West.

Additional Record Drawing Work \$953.00

The additional items described above such as the storm sewer, signage, swales and bituminous patching required additional survey and record drawing preparation work to accurately show the finished improvements and to provide the City with accurate locations for the GIS system.

Total Requested Fee Amendment **\$7,652.50**

A detailed breakdown of the costs associated with each additional task outlined above was provided in Attachment A.

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In addition to the requested fee amendment, we are also seeking a modification to our agreement to cover the following reimbursable expenses that were requested by City staff but were not included in our original agreement:

Reimbursable Expense	Requested Amount
Mailbox Replacement	\$91.30

This expense is associated with the replacement of a broken mailbox located on Brentwood Drive. The mailbox was damaged by the Contractor during the milling operations and the property owner contacted the City. In an effort to replace the mailbox as quickly as possible, City staff authorized the Engineer to find and purchase the same mailbox for the Contractor to install. The Contractor caused the damage and the cost of the mailbox will be removed from the final payment.

Residential Mailing	\$144.00
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The request for proposals indicated that all required mailings and notices for the project would be completed by City Staff. During construction, City staff directed the Engineer to prepare and mail a notice to the Southdale project area to address some schedule and construction related issues.

Total Requested Reimbursable Expenses	\$253.30
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Our previous approved "Not to Exceed" fee was \$164,409. Including the above \$7,652.50 fee increase and \$253.30 in reimbursable expenses, the revised total WSN fee is a "Not to Exceed" \$172,314.80.

The commission felt the fee amendment request was justifiable and should be paid. Mr. Welch stated the project is still under budget.

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to recommend City Council approve the WSN Agreement for Professional Engineering Services – Fee Amendment Request for the 2016 Mill & Overlay, Full Depth Reclamation and Right Turn Lane Construction Project in the increased amount of \$7,905.80 for a total not to exceed contract of \$172,314.80. Motion carried unanimously.

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

WSN Consulting Engineer Welch reviewed the project update.

Summary of Work Completed Since Last Update

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No work was completed since the last update.

Project Schedule

Address warranty items as needed.

Easements

One roadway easement remains to be signed. All the necessary documents have been supplied to the property owner but our numerous attempts contact the property owner has not garnered any response. The property is being sold on a contract for deed and the current occupant (Lakes Audio) does not have any issues with the proposed right-of-way.

The vacation hearing to complete the Positive Realty, Mau and Tanner property has held on September 9, 2016.

Changes

WSN review and recommendation on Change Order No. 4 was sent to the Contractor in August. At the September Utilities Commission meeting WSN reported the Contractor had not completed their review of our recommendations and the change order was tabled. WSN has still not received any correspondence regarding the change order from the Contractor.

Potential Law Suit

WSN is not aware of any resolution to the potential law suit between the Contractor and sub-contractor regarding the directional drilled pipe between Novotny Road and Audubon Way.

WSN PROPOSAL FOR ENGINEERING SERVICES FOR THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

WSN Consulting Engineer Welch explained that he recently met with city staff with regards to compliance with the City's MS4 permit.

Mr. Welch reviewed the WSN Proposal to assist the City of Baxter with a review of their current Stormwater Pollution Prevention Plan (SWPPP). Their review will be based upon the Minnesota Pollution Control Agency (MPCA) General Permit (GP) No. MNR040000 for Municipal Separate Storm Sewer Systems (MS4) dated August 1, 2013. The City of Baxter is an MS4 city required to be in compliance with the GP as of December 1, 2013.

WSN has previously provided considerable input and data during the MS4 GP implementation process and are very familiar with the City of Baxter's municipal storm water system. WSN staff has also assisted the City of Alexandria with a compliance check and is very familiar with the GP and its requirements. Our familiarity with the City of Baxter's system, the GP, strong local presence, and dedication to the City make WSN a prudent choice to assist in completing a compliance check of the City's SWPPP with the MS4 regulations effective August 1, 2013. In addition, WSN will be readily available to assist with future endeavors, if necessary.

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Key items to review include:

- Application and submittal information
- Written procedures for Enforcement Response Procedures
- Storm sewer system mapping
- Ponds, wetlands and lakes inventory
- Public education emphasis
- Illicit discharge recognition, training, reporting and prioritizing
- Spill response procedures
- Written procedures for conducting plan reviews including non-compliant plans
- Written procedures for conducting site inspections
- Post-construction control of discharge volume, TSS and Phosphorus
- Infiltration regulations
- "Legal Mechanisms" for long-term maintenance of post-construction BMPs
- MS4 owned/operated facility inventory and inspection
- Procedures and a schedule for assessing pond treatment effectiveness
- Documentation for the six Minimum Control Measures (MGM's)

The proposed scope of services is as follows:

SWPPP Compliance Assessment and Report

Our approach to assist the City of Baxter with developing a SWPPP that is compliant with the MPCA GP involves first meeting with City staff to become aware of all documentation and program efforts in place. WSN will then analyze each portion of the SWPPP and compare it with the GP requirements. Through the process, we will note deficiencies and complete a report outlining recommended modifications that need to be made to gain compliance. Tasks included in our proposal are:

- Meet with City staff to review SWPPP documentation and procedures
- Analyze SWPPP for compliance with MPCA GP
- Complete report documenting deficiencies and recommendations for compliance

WSN proposes to perform the services described above for a Lump Sum fee of \$9,320.

WSN will keep City staff informed of the project status and propose to have all work completed within 60 days of your authorization to proceed.

Public Works Director/City Engineer Walter stated this audit will assist the Storm Water Department to get back on track with the MS4 permit. Public Works Director/City Engineer Walter explained the City of Northfield was audited by the MPCA in 2015 and as a result there were fines and very significant required changes to Northfield as a result. Public Works Director/City Engineer Walter submitted a copy of the Northfield letter to the MPCA of the

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significant changes they were required to make to their MS 4 Permit as a direct result of the audit.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to approve the WSN Proposal for Engineering Services for the Stormwater Pollution Prevention Plan Review in the lump sum amount of \$9,320.00. Motion carried unanimously.

MnDOT ISLE DRIVE TURNBACK FOR THE 2015 ISLE DRIVE IMPROVEMENTS PROJECT

The MnDOT Isle Drive turnback for the 2015 Isle Drive Improvements Project was submitted to the commission as information only.

WASTEWATER TREATMENT PLAN CHARGES FOR AUGUST & SEPTEMBER

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

OTHER BUSINESS

Council Liaison Cross gave a brief update on the Brainerd Wastewater Treatment Plant Annexation proposal.

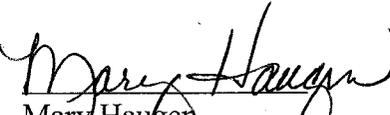
ADJOURNMENT

MOTION by Commissioner Christofferson, seconded by Commissioner Wolf to adjourn the meeting at 8:45 p.m. Motion carried unanimously.

Approved by:


Rock Yliniemi
Chairman

Submitted by:


Mary Haugen
Administrative Assistant