

UTILITIES COMMISSION
November 4, 2015

The regular meeting of the Baxter Utilities Commission was called to order at 5:00 p.m. by Chairman Rock Yliniemi.

MEMBERS PRESENT: Commissioners Jack Christofferson, Shawn Crochet, Dave Franzen, Doug Wolf, 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 Engineer Aric Welch, SEH Consulting Engineer Scott Hedlund and WSB Consulting Engineer Chuck Rickart.

APPROVAL OF MINUTES

MOTION by Commissioner Crochet, seconded by Commissioner Wolf to approve the Utilities Commission minutes of October 7, 2015. Motion carried unanimously.

2015 ISLE DRIVE EXTENSION PROJECT UPDATE

WSB Consulting Engineer Rickart gave an update on the project. All primary work on the project has been completed. Isle Drive north of CSAH 48 was opened to traffic on October 2nd and the “Grand Opening” of the project was held on October 6th.

All major issues identified in the final punch list were completed by the October 16th completion date. The requested December 1st extension was approved by City Council at the October 20th meeting.

2015 ISLE DRIVE EXTENSION IMPROVEMENTS PROJECT PAY ESTIMATE NO. 6

WSB Consulting Engineer Rickart reviewed the Partial Pay Estimate No. 6 for the 2015 Isle Drive Extension Improvements Project. WSB Consulting Engineer Rickart had no concerns with the Partial Pay Estimate No. 6 and recommends approval. WSB Consulting Engineer Rickart informed the commission the project is still within the original budget.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the R. L. Larson Excavating Partial Pay Estimate No. 6 in the amount of \$262,319.00 for the 2015 Isle Drive Extension Improvements Project. Motion carried unanimously.

2015 EXCELSIOR ROAD IMPROVEMENTS PROJECT UPDATE

SEH Consulting Engineer Hedlund gave a brief update on the project. The pedestrian flasher system work still remains, as well as a few miscellaneous punch list items.

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Final completion date has been moved to November 27th due to delays in receiving special order pedestrian flasher equipment. The goal is close out the contract in 2015 after electrical and the final punch lists are completed.

2015 EXCELSIOR ROAD IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 5

SEH Consulting Engineer Hedlund submitted Partial Pay Estimate No. 5 for the 2015 Excelsior Road Improvements Project to the commission. SEH Consulting Engineer Hedlund has no concerns with Partial Pay Estimate No. 5 and recommends approval. SEH Consulting Engineer Hedlund informed the commission the project is still within budget.

MOTION by Commissioner Wolf, seconded by Commissioner Crochet to recommend City Council approve the Anderson Brothers Partial Pay Estimate No. 5 in the amount of \$62,864.45 for the 2015 Excelsior Road Improvements Project. Motion carried unanimously.

2015 MILL AND OVERLAY IMPROVEMENTS PROJECT UPDATE

SEH Consulting Engineer Hedlund gave a brief update on the project.

Glory Road, Elder Drive, Foley Road

- Glory Road west of Isle Drive, Foley Road, and Elder Drive are completed.
- Storm sewer catch basin interior repairs and punch list items are being worked on and are planned for completion in 2015.
- With council consensus, reclaiming and paving in the Glory Road/Isle Drive intersection has been postponed to the spring of 2016 due to cold weather paving considerations.
- Pending Change Order No. 1 if approved will officially change the project Substantial and Final Completion Dates to May 27, 2016 (which is the Thursday before Memorial Day weekend).

Dellwood Drive, Fairview Road

- This area of the project is substantially complete.
- Storm sewer catch basin interior repairs and punch list items are being worked on and are planned for completion in 2015.

Edgewood Drive

- Edgewood Drive south of Clearwater Road is substantially complete.
- Storm sewer catch basin interior repairs and punch list items are being worked on and are planned for completion in 2015.
- With council consensus, reclaiming and paving on Edgewood Drive north of Clearwater Road has been postponed to the spring of 2016 due to cold weather paving considerations.

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- Pending Change Order No. 1 if approved will officially change the project Substantial and Final Completion Dates to May 27, 2016 (which is the Thursday before Memorial Day weekend).
- Storm sewer catch basin interior repairs are being worked on and are planned for completion in 2015.

The “final” project walk through with City Staff, SEH, and the Contractor is planned for Monday, November 2, 2015. The “final final” project walk through will occur in the spring of 2016 after the remaining reclaiming, paving, and striping work is completed.

The Contractor has requested that after all punch list items are addressed after the final walk through that all completed portions of the project be accepted and the warranty commence in 2015. The acceptance and start of the warranty period on the uncompleted Edgewood Drive north of Clearwater Road and the Glory Road/Isle Drive intersection portion of the project would not occur until the spring of 2016 after the entire project is complete.

Reclaiming and paving operations for Edgewood Drive north of Clearwater Road and at the Glory Road/Isle Drive intersection are planned to resume and be completed in May 2016 depending on the weather. It is likely that the Glory Road/Isle Drive intersection will need be closed for 2 to 3 days to expedite completion of the project in that intersection. Posted detour routes, public service announcements, and property owner notifications will occur in advance of any closures.

Total project budget:

Based on the final assessments and low bid results, the total project budget is \$2.5M.

- Pending Change Order No.1, in addition to changing the contract completion dates, proposes to increase the Anderson Brothers Construction contract amount to cover additional concrete reconstruction work.
- Even with Change Order No. 1, the project is projected to be completed within the \$2.5M budget.

2015 MILL AND OVERLAY IMPROVEMENT CHANGE ORDER NO. 1

SEH Consulting Engineer Hedlund submitted the following 2015 Mill and Overlay Memorandum into the record for Change Order No. 1:

To: Honorable Mayor and City Council and Utilities
 Commission c/o Trevor Walter
 City of Baxter, Minnesota

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From: Scott Hedlund,
Date: October 27,2015
Re: 2015 Mill and Overlay Project
Change Order No. 1
SEH No. BAXTE 131772 14

The estimated concrete reconstruction overruns that were discussed at the September 1, 2015 City Council and September 2, 2015 Utilities Commission meetings will be completed this week. The updated estimated quantity and cost overruns are summarized in the attached Change Order No. 1.

As discussed at the October 20, 2015 City Council meeting, due (directly and indirectly) to the concrete overruns, total project construction could not be completed by the original contract substantial completion date of October 16, 2015 and final completion date of October 23, 2015. Also, due to concerns with cold weather paving possibly decreasing the anticipated life of the pavement, the Council concurred with the recommendation to postpone reclaiming and paving work on Edgewood Drive north of Clearwater Road, and at the Glory Road/Isle Drive intersection, until the spring of 2016.

Change Order No. 1 proposes changing the Substantial and Final Completion Dates to May 26, 2016 (which is the Thursday before Memorial Day weekend), and stipulates no increases in contract unit prices or extra mobilization charges associated with extending the completion date. The Contractor has pledged to complete all other work on the project in 2015.

Below is an updated estimated summary of final project costs:

Construction (including Change Order No. 1):	\$2,240,000
Engineering:	\$ 205,000
Contingency, Admin, Legal, Miscellaneous:	<u>\$ 45,000</u>
Total:	\$2,490,000

The total project cost estimated for final assessments was \$2,542,385. Due to the nature of the project, a larger than normal contingency was assumed.

SEH Consulting Engineer Hedlund submitted Change Order No. 1 for the 2015 Mill and Overlay Improvements Project to the commission. SEH Consulting Engineer Hedlund had no concerns with Change Order No. 1 and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Christofferson to recommend City Council approve the Anderson Brothers Change Order No. 1 in the amount of \$218,800.00 for the 2015 Mill and Overlay Improvements Project. Motion carried unanimously.

2015 MILL AND OVERLAY IMPROVEMENT PROJECT PARTIAL PAY ESTIMATE NO. 3

SEH Consulting Engineer Hedlund reviewed Partial Pay Estimate No. 3 for the 2015 Mill and Overlay Improvements Project with the commission. SEH Consulting Engineer Hedlund had no concerns with Partial Pay Estimate No. 3 and recommends approval. SEH Consulting Engineer Hedlund informed the commission the project is still within budget.

MOTION by Commissioner Franzen, seconded by Commissioner Wolf to recommend City Council approve the Anderson Brothers Partial Pay Estimate No. 3 in the amount of \$956,162.59 for the 2015 Mill and Overlay Improvements Project. Motion carried unanimously.

2016 FAIRVIEW ROAD IMPROVEMENT PROJECT UPDATE

SEH Consulting Engineer Hedlund gave a brief update on the project. The topographic design survey and wetland delineation field work are complete. Preliminary construction plans and profile and cross section sheets are being developed.

The wetland permit application is pending further development of the Final Design. Easements are being developed concurrently with the final design.

A public informational meeting planned for November or December and Improvement Hearing for December or January.

2016 FAIRVIEW ROAD DRAFT FEASIBILITY REPORT

SEH Consulting Engineer Hedlund reviewed the 2016 Fairview Road Draft Feasibility Report with the commission.

The proposed improvements would include 1.5 miles of full depth reclamation; widen Fairview Road to 11 foot driving lanes with 5 foot paved bicycle lanes east and west of Baxter Elementary School and maintain a 24 foot road width adjacent to the Baxter Elementary School.

An extensive discussion was held on the existing conditions of the project area with regards to street, water, sanitary sewer, storm water problems and multi-modal trail/street. Council Liaison Cross requested the actual bike lane costs on Fairview Road be shown in the feasibility report.

An extensive discussion was held on the possible private utility company relocations and additional costs to the project. The feasibility study shows that all relocation of private utilities is at the private utility company expense. Some relocation may be at the expense of the City and have not been determined at this time. Those fees need to be included in the feasibility study.

Temporary construction easements and permanent easements will be needed with the project and should be dedicated and retained as determined during the final project design.

SEH Consulting Engineer Hedlund stated comments or concerns received to the report will be incorporated before the City Council presentation on November 17th.

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

WSN Consulting Engineer Welch gave an update on the project.

Work Completed to Date:

Independence Road: Underground work is complete. First lift of bituminous (except Simonson driveway) is complete. Grading is 80% complete.

Inglewood Drive: All underground work is complete. Concrete curb & gutter and valley gutters are complete. First lift of bituminous is complete. Iron has been raised. Grading is about 80% complete. Trail aggregate base is complete.

Dellwood Drive and Novotny Road: Underground work nearing completion.

Project Schedule:

Remainder of this week: Finish underground work and begin grading work on Dellwood Drive and Novotny Road. Complete concrete median and driveway work on Inglewood Drive. Continue grading work on Inglewood Drive.

Week of November 2, 2015: Pave final lift of bituminous and trail on Inglewood Drive. Pave final lift of bituminous on Independence Road. Pavement markings on Inglewood Drive and Independence Road. Grading and topsoil work on Inglewood Drive and Independence Road. Continue grading and place aggregate base on Dellwood Drive and Novotny Road. Concrete curb & gutter on Dellwood Drive and Novotny Road. Pave first lift of bituminous on Dellwood Drive and Novotny Road.

Please note, the schedule is heavily dependent on weather and subcontractor workloads. The Contractor may also ask permission to work on Sunday.

Completion Dates:

The revised dates for substantial completion and final completion, in accordance with Change Order No. 1, are Friday November 6, 2015 and Friday November 20, 2015. The schedule provided by the Contractor at our most recent construction

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meeting as outlined above will not meet the revised completion date. It is very likely work required to meet substantial completion will continue past the November 6th deadline.

The City may have the option of imposing liquidated damages if work is not completed on time. We recommend the City consult with the City Attorney prior to pursuing liquidated damages. The language addressing liquidated damages in the Agreement is as follows:

4.03 Liquidated Damages

A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):

1. Substantial Completion: Contractor shall pay Owner \$1,312 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 4.02.A above for Substantial Completion until the Work is substantially complete.
2. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$1,312 for each day that expires after such time until the Work is completed and ready for final payment.
3. Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

Private Utility Companies:

Inglewood Drive: All planned private utility relocation work is complete.

Dellwood Drive and Novotny Road: Additional relocation work may be completed with the grading operations.

Independence Road: Crow Wing Power will be installing underground electric to a new street located at the east end of the cul-de-sac.

Easements:

Dellwood Drive and Novotny Road right-of-way: One roadway easement remains to be signed on Dellwood Drive.

Audubon Way watermain extension: Hilltop Trailer Sales has agreed to the easement and has given the City written permission to proceed with the Audubon Way watermain extension; however, the easement is currently being held up by the bank financing the property. We have had a couple of discussion with Dutch Cragun regarding the easement across the Holiday Inn & Suites property. We will be meeting with Mr. Cragun this week and anticipate having a signed agreement and easement or written permission to complete the work by the end of this week.

2015 DELLWOOD DRIVE & NOVOTNY ROAD, INGLEWOOD DRIVE AND INDEPENDENCE ROAD CONTINGENCY PLANNING

WSN Consulting Engineer Welch submitted the following 2015 Dellwood Drive, Novotny Road, Inglewood Drive and Independence Road Improvements Project Contingency Planning Memorandum into the record:

To: Baxter City Council
From: Aric Welch
Project Name: Dellwood, Novotny, Inglewood and Independence Improvements
Project No.: 0102B0274.000
Subject: Contingency Planning

As outlined in our October 28, 2015 project update, it is unlikely work will be substantially complete by Friday November 6, 2015. According to the current schedule, it is likely the following work will remain on each roadway/project area after November 6th:

Independence Road:

- Topsoil and final turf establishment

Inglewood Drive

- Topsoil and final turf establishment

Dellwood Drive and Novotny Road

- Final lift of bituminous
- Pavement markings
- Signage
- Final grading
- Audubon Way watermain extension
- Topsoil and final turf establishment

- Underground utility testing

Turf Establishment

The Contractor has requested to switch from sod to bonded fiber matrix for final turf establishment. Bonded fiber matrix is a sprayed on mulch type material that has better erosion control properties than the normal green colored hydromulch material you see on a lot of the jobs around town. The Contractor has indicated sod is currently unavailable and our only option for final turf establishment this year is seed and a mulch type product. The only other option appears to be temporary seed and mulch for the winter with sod placed next spring. We have requested product and pricing information from the Contractor to evaluate their proposal. We will review the requested information with City staff and develop a recommendation to share with the Council on Tuesday night.

Roadways

It is likely the final lift of bituminous will not be in place on Dellwood and Novotny Road by next Friday night. As discussed in earlier memos, weather will play an important role as we move farther into November. If the weather holds, the final lift of bituminous may be placed this year. If the weather does not cooperate, we may be forced to suspend work after the first lift of bituminous has been placed. At our weekly meetings we have begun discussing different options and construction details should this become necessary.

We will continue to monitor the Contractor's progress and should have additional information to discuss with the Council at the workshop on Tuesday night.

2015 DELLWOOD DRIVE & NOVOTNY ROAD, INGLEWOOD DRIVE AND INDEPENDENCE ROAD IMPROVEMENTS PROJECT PARTIAL PAY ESTIMATE NO. 2

WSN Consulting Engineer Welch reviewed Partial Pay Estimate No. 2 for the 2015 Dellwood Drive, Novotny Road, Inglewood Drive and Independence Road Improvements Project with the commission. WSN Consulting Engineer Welch 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 R. L. Larson Excavating Partial Pay Estimate No. 2 in the amount of \$527,625.99 for the 2015 Dellwood Drive, Novotny Road, Inglewood Drive and Independence Road Improvements Project. Motion carried unanimously.

2015 FOREST DRIVE STORMWATER IMPROVEMENT PROJECT MEMORANDUM

WSN Consulting Engineer Welch submitted the following 2015 Forest Drive Stormwater Improvement Project Memorandum into the record:

To: Baxter City Council

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From: Aric Welch
Project Name: Forest Drive Area Stormwater Improvement Project
Project No.: 0102B0367.000
Subject: Project Update – Final Payment

City staff and the Contractor completed a final walkthrough of the project on Tuesday October 27, 2015 and the project is now complete and ready for final payment. The City should be aware the final pay estimate is \$19,447.70 higher than the original contract amount. The main reason for the increased cost is due to overruns of the following four unit price items:

Common Excavation

The planned quantity was 1,515 cy and the final calculated quantity based on the as built survey was 2,400 cy. The overrun can be attributed to additional excavation and maintenance road construction at the north end of the ditch and additional grading along the west side of the ditch to capture runoff from the existing residents. Both of these items were adjustments made in the field and were not shown in the original plans. The additional grading added \$11,505 to the final contract.

Topsoil Borrow

The planned quantity was 380 cy and the final quantity was 434 cy. Additional topsoil was necessary to restore the extra work at the north end of the ditch and along the west side of the ditch as described under the common excavation item. The additional topsoil added \$1,188 to the final contract.

Permanent Seed

The planned quantity was 150 lbs and the final quantity installed by the Contractor was 410 lbs. The overrun can be attributed to the additional disturbed areas described above and a change in seeding rate from what was shown in the plan. The resultant seeding rate was around 400 lbs/acre which is consistent with past projects. The additional seed added \$3,994.20 to the final contract amount.

Hydraulic Matrix Type Mulch

The planned quantity was 685 lbs and the final quantity installed by the Contractor was 985 lbs. The overrun can be attributed to the additional disturbed areas described above and a field change from stray type mulch to hydraulic type mulch for the ditch area. The additional mulch added \$2,883.50 to the final contract amount.

Please note, the total of the overruns listed above will not add up exactly to \$19,447.70. There were minor overruns and underruns of other bid items that also affect the final contract amount.

2015 FOREST DRIVE STORMWATER IMPROVEMENTS FINAL PAY ESTIMATE NO. 1

WSN Consulting Engineer Welch reviewed Final Pay Estimate No. 1 for the 2015 Forest Drive Stormwater Improvements Project with the commission. WSN Consulting Engineer Welch had no concerns with Final Pay Estimate No. 1 and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve the Pratts Affordable Excavating Final Pay Estimate No. 1 in the amount of \$95,986.00 for the 2015 Forest Drive Stormwater Improvements Project. Motion carried unanimously.

2015 LIFT STATION NO. 7 RECONSTRUCTION PROJECT FINAL PAY ESTIMATE NO. 1

WSN Consulting Engineer Welch reviewed Final Pay Estimate No. 1 for the 2015 Lift Station No. 7 Reconstruction Project with the commission. WSN Consulting Engineer Welch had no concerns with Final Pay Estimate No. 1 and recommends approval.

MOTION by Commissioner Crochet, seconded by Commissioner Franzen to recommend City Council approve the Anderson Brothers Construction Final Pay Estimate No. 1 in the amount of \$76,998.08 for the 2015 Lift Station No. 7 Reconstruction Project. Motion carried unanimously.

WSN PROPOSAL FOR ENGINEERING SERVICES FOR A FEASIBILITY STUDY UPDATE FOR FAIRVIEW ROAD IMPROVEMENTS WEST OF CONSERVATION DRIVE

WSN Consulting Engineer Welch reviewed the WSN Proposal for Engineering Services for a Feasibility Study Update for Fairview Road Improvements West of Conservation Drive.

The study was last updated in March of 2010. Since that time, several changes have occurred that impact the findings of the report. The following is summary of the major changes:

- Baxter Assessment Policy has been modified.
- Construction costs have changed.
- Proposed improvements and scope of project has changed. Project now includes the extension of Fairview road to the west with a cul-de-sac near the Paul Bunyan Trail and a trail connection.

WSN proposes to update all sections of the report (including appendices and exhibits) to address the changes noted above, in accordance with the General Conditions and Fee Schedule, for the Not to Exceed amount of \$3,200.00.

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Brothers Motorsports has not responded to the City of Baxter inquiry about cost participation in the updating of the feasibility report.

MOTION by Commissioner Franzen, seconded by Commissioner Wolf to table the WSN Proposal for Engineering Services for a Feasibility Study Update for Fairview Road Improvements West of Conservation Drive. Motion carried unanimously

WSN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE 2016 DELLWOOD DRIVE AREA IMPROVEMENTS PROJECT FROM NOVOTNY ROAD TO CSAH 49

WSN Consulting Engineer Welch reviewed the WSN Agreement for Professional Engineering Services for the 2016 Dellwood Drive Area Improvements Project from Novonty Road to CSAH 49.

The roadway in the project area is currently under the jurisdictions of Crow Wing County, the City of Brainerd and the City of Baxter based on abutting property ownership. The three parcels abutting the west side of the roadway are currently within the Baxter municipal limits and the remaining parcels on the east side are located in the First Assessment District (Unorganized Territory) of Crow Wing County or the City of Brainerd. Recently Crow Wing County applied for and secured a grant through the Local Road Improvement Program (LRIP) for upgrading the roadway.

Planned improvements include widening the roadway, increasing the design strength of the roadway and securing a defined right-of-way corridor. As a result of the varying jurisdiction in the project, the City of Baxter would have a share of the proposed cost.

In accordance with the City Assessment Policy, roadway reconstruction costs would be assessed to the benefitting property owners. Our proposal includes preliminary engineering tasks and services required to assist the City with the Chapter 429 assessment process.

Our proposed scope of services is as follows:

Feasibility Study

WSN proposes to complete a memo feasibility study meeting the requirements of the Minnesota Chapter 429 assessment process. Items included with this proposal are:

- Research of existing documents.
- Preparation of preliminary study exhibits.
- Estimated preliminary quantities.
- Preparation of preliminary cost estimates and assessment calculations.

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- Preparation of draft feasibility study that includes a review of existing conditions, proposed improvements, estimated project costs, project implementation and discussion of conclusions and recommendations.
- Review preliminary study with City staff and Council.
- Prepare final study based on City review comments.

Improvement Hearing

WSN proposes to assist the City with the Minnesota Chapter 429 Improvement hearing. Items included with this proposal are:

- Assist City staff with the preparation of the Improvement Hearing resolution and notice. We assume the City will be responsible for publishing and mailing of all required notices.
- Preparation and assistance with Improvement Hearing preparation and presentation.

Final Assessment Calculations and Hearing

WSN will assist the City with assessment calculations, hearings and documentation in accordance with the Minnesota Chapter 429 assessment process. Items included in our proposed scope of services are as follows:

- Prepare final cost split worksheet and assessment calculations.
- Prepare individual records of assessment.
- Assist the City with Assessment hearing resolutions and notices. We assume the City will assume responsibility for publishing and mailing all required notices.
- Prepare and present Assessment Hearing project information.

WSN proposes to perform the services described above on an hourly basis, in accordance with the attached fee schedule, for the Not To Exceed amount of \$3,500.00.

MOTION by Commissioner Crochet, seconded by Commissioner Wolf to recommend City Council approve the WSN Agreement for Professional Engineering Services for the 2016 Dellwood Drive Area Improvements Project from Novonty Road to CSAH 49 in the not to exceed amount of \$3,500.00. Motion carried unanimously.

FIBER OPTIC LIMITED USE AGREEMENT FOR 7789 HASTINGS ROAD AND 7790 HASTINGS ROAD

Public Works Director/City Engineer Walter explained the limited use agreement was for a shared private fiber optic line between the 7789 Hastings Road and 7790 Hastings Road.

MOTION by Commissioner Wolf, seconded by Commissioner Christofferson to recommend City Council approve the private Fiber Optic Limited Use Agreement for 7789 Hastings Road and 7790 Hastings Road. Motion carried unanimously.

2015 CROW WING COUNTY STRIPING CONTRACT

Public Works Director/City Engineer Walter reviewed the 2015 pavement marking contract from Crow Wing County. The project included a 3% administration fee and the costs are broke down below:

- Final Construction Cost \$20,177.20
- Contract Administration Fee (3%) \$ 605.32
- **Final Project Costs \$20,782.52**

Public Works Director/City Engineer Walter had no concerns with final payment to Crow Wing County for the 2015 pavement marking contract and recommends approval.

MOTION by Commissioner Franzen, seconded by Commissioner Crochet to recommend City Council approve the 2015 Crow Wing County Striping Contract in the amount of \$20,782.52. Motion carried unanimously.

2015 CROW WING COUNTY SEAL COAT CONTRACT

Public Works Director/City Engineer Walter reviewed the 2015 seal coat contract from Crow Wing County. The project included a 3% administration fee and the costs are broke down below:

- Construction Cost Share \$185,534.48
- Contract Administration Fee (3%) \$ 5,566.03
- **Final Project Costs \$191,100.51**

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to recommend City Council approve the 2015 Crow Wing County Seal Coat Contract in the amount of \$191,100.51. Motion carried unanimously.

WSN PROPOSAL FOR REGION 5 2020 GRANT FOR THE INGLEWOOD DRIVE RAILROAD CROSSING IMPROVEMENT PROJECT

WSN Consulting Engineer Welch submitted the WSN Proposal for Region 5 2020 Grant for the Inglewood Drive Railroad Crossing Improvement Project into the record:

Re: Agreement for Professional Services
Inglewood Drive Railway Crossing - STP Funding Application Assistance

Dear Mayor and City Council:

In response to staff request, we are pleased to submit a proposal to assist with preparation of a funding assistance application. We understand the City is interested in applying to the Central

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Minnesota Area Transportation Partnership Local Surface Transportations Program (STP), requesting funding assistance for construction of a railway crossing at the Inglewood Drive intersection. We understand this crossing is a vital connection in the Cities long-range transportation plan.

WSN is very familiar with this proposed project and attended an on-site meeting on March 11, 2010 to review details associated with the proposed crossing. Attendees at that meeting included representatives from BNSF (Lynn Liebfrid and Mike Mohrfeld), MnDOT (Jim Weatherhead), and the City (Trevor Walter). We have also previously prepared sketches and costs estimates for the proposed improvements.

Our proposal includes the following tasks to assist with submission of the funding application:

- Rekindle relationships with BNSF and MnDOT since the parties involved at the time no longer have the same positions or responsibilities they had five years ago
- Update existing sketches to conform to current regulations and requirements and meet expectations of MnDOT and BNSF
- Update existing cost estimates
- Coordinate with WSB to ensure geometric layouts utilized for the funding application match preliminary concepts utilized during preparation of traffic studies
- Complete the application form and review with City staff
- Incorporate any changes requested by City staff into the final submittal documents
- Assist City staff with actual submittal as necessary

WSN proposes to perform the services described above on an hourly basis, in accordance with the attached fee schedule, for the Not to Exceed amount of \$5,150.00.

MOTION by Commissioner Wolf, seconded by Commissioner Franzen to recommend City Council approve the WSN Proposal for Region 5 2020 Grant Application for the Inglewood Drive Railroad Crossing Improvement Project in the not to exceed amount of \$5,100.00. Motion carried unanimously.

ADVANCED ENGINEERING'S "THE UPDATE – A REGULATORY COMPLIANCE PUBLICATION"

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The Advanced Engineering’s regulatory compliance publication was provided to the commission as information only.

CROW WING POWER ELECTRIC RATE CHANGE FOR THE WATER TREATMENT PLANT

The Crow Wing Power letter regarding the electric rate change for the Water Treatment Plant was provided to the commission as information only.

CROW WING POWER METER RELIEF PROGRAM

The Crow Wing Power meter relief letter was provided to the commission as information only.

CROW WING POWER IMPENDING CHANGES TO THE COMMUNITY LIGHTING PROGRAM

The Crow Wing Power letter regarding changes to the community lighting program was provided to the commission as information only.

WASTEWATER TREATMENT CHARGES FOR SEPTEMBER 2015

The Brainerd Public Utilities Wastewater Plant Charges for September 2015 was submitted to the commission as information only.

ADJOURNMENT

MOTION by Commissioner Crochet, seconded by Commissioner Christofferson to adjourn the meeting at 8:00 p.m. Motion carried unanimously.

Approved by:

Submitted by,

Rock Yliniemi
Chairman

Mary Haugen
Administrative Assistant