



BAXTER CITY COUNCIL AGENDA

Tuesday, August 1, 2017

The regular meeting of the Baxter City Council will be held on Tuesday, August 1, 2017 at 7:00 p.m. at the Baxter City Hall, 13190 Memorywood Dr., Baxter, MN.

1. Call Meeting to Order

2. Roll Call

3. Pledge of Allegiance

4. Guest Presentation

A. Presentation of CenterPoint Energy Grant

B. Introduction of newly crowned Baxter United States Queens for 2017/2018

5. Public Comments

Comments received from the public may be placed on a future meeting agenda for consideration.

6. Consent Agenda

The following items are considered non-controversial by staff and are recommended to be read and passed in one motion. Any council person, staff, citizen, or meeting attendee can request one or more items be pulled from the Consent Agenda and the item will be pulled and addressed immediately after the passage of the Consent Agenda; otherwise, the following items will be passed in one motion:

A. Approve City Council Minutes from July 18, 2017 (pp. 3-7).

B. Approve City Council Work Session Minutes from July 18, 2017 (pp. 8).

C. Approve the Payment of Bills and Finance Report (Addendum A).

D. Accept \$500.00 donation from Baxter Lions Club for Baxter Night to Unite Event (pp. 11)..

E. Approve Taxi License for Baker Transportation Inc. d/b/a Elite Taxi for licensing period August 2, 2017-June 30, 2018 (pp. 12).

F. Accept Park Commission Minutes from July 24, 2017 (pp. 13-16).

G. Accept Long Range Planning Commission Minutes from July 24, 2017 (pp. 17).

H. Approve Memorial Bench trail location map and revised Memorial Bench Application (pp. 18-21).

7. Pulled Agenda Items

8. Other Business

A. Planning and Zoning Actions

1. Adopt Ordinance No. 2017-007, Summary Ordinance No. 2017-008 and Findings of Fact Resolution 2017-075 approving an ordinance amending the text of Title 4, Title 10, and Title 11 of the City Code (pp. 22-27).

8. Council Comments

- A. Quinn Nystrom
- B. Steve Barrows
- C. Todd Holman
- D. Mark Cross
- E. Darrel Olson

9. City Administrator's Report

10. City Attorney's Report

- A. Closed Session, Minnesota Statute 13D.05, subd. 3 (c), Purchase of Property (for right of way on Kenwood Drive)

11. Adjourn to Night to Unite on August 8, 2017

BAXTER CITY COUNCIL MINUTES
July 18, 2017

Mayor Darrel Olson, who led in the pledge to the flag, called the regular meeting of the Baxter City Council to order at 7:00 p.m.

COUNCIL MEMBERS PRESENT: Mayor Darrel Olson, Council Members Quinn Nystrom, Todd Holman, Steve Barrows, and Mark Cross.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Administrator Bradley Chapulis, Assistant City Administrator Kelly Steele, Community Development Director Josh Doty, Police Chief Jim Exsted, Finance Director Jeremy Vacinek, and Public Works Director Trevor Walter.

CONSENT AGENDA

- A. Approve City Council Minutes from July 5, 2017
- B. Approve City Council Work Session Minutes from July 5, 2017
- C. Approve Special City Council Minutes from July 10, 2017
- D. Approve the Payment of Bills and Finance Report
- E. Approve Special Event Application for the Lakes Country Triathlon at Whipple Beach on August 27th, 2017
- F. Approve Special Event Application for the Walk a Mile Event at Mills Ford on August 12th, 2017
- G. Adopt Resolution 2017-065, Authorizing an Interfund Loan for Advance of Certain Costs in Connection with the Isle Drive Economic Development Tax Increment Financing District
- H. Adopt Resolution 2017-066 Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment for the 2017 Mill and Overlay and Full Depth Reclamation Improvement Project, Municipal Improvement Number 4417
- I. Adopt Resolution 2017-067 For Hearing on Proposed Assessment for the 2017 Mill and Overlay and Full Depth Reclamation Improvement Project, Municipal Improvement Number 4417
- J. Adopt Resolution 2017-068 Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment for the 2017 Excelsior Road Residential Area Improvement Project, Municipal Improvement Number 4120
- K. Adopt Resolution 2017-069 For Hearing on Proposed Assessment for the 2017 Excelsior Road Residential Area Improvement Project, Municipal Improvement Number 4120
- L. Adopt Resolution 2017-070 Ordering Improvement and Preparation of Plans for the 2018 Cypress Drive Improvement Project, Municipal Improvement Number 4027
- M. Approve the 2016 Financial Statements and the 2016 CliftonLarsonAllen Audit Report and Its Findings
- N. Accept Planning and Zoning Commission Minutes of July 11, 2017
- O. Accept Utilities Commission Minutes of July 6, 2017

1. Approve the Anderson Brothers Construction Final Pay Estimate No. 4 in the amount of \$22,660.69 for the 2016 Golf Course Drive Improvements Project.
2. Approve the SEH, Inc. 2017 Alano Sewer and Water Service Improvements Project Agreement for Professional Services - Construction Services Contract in the Not to Exceed Amount of \$4,914.00.
3. Adopt Resolution 2017-071 Ordering Preparation of Report on 2020 Fairview Road, Golf Course Drive, Excelsior Road and Trail Connection Improvement Project
 - a. Approve the SEH, Inc. 2020 Fairview Road, Golf Course Drive, Excelsior Road and Trail Connection Improvements Project Agreement for Professional Services – Feasibility Report and Public Informational Meeting Contract in the Not to Exceed amount of \$14,726.00.
4. Adopt Resolution 2017-072 Ordering Preparation of Report on 2022 Cypress Drive Connection to Woida Road Improvement Project
 - a. Approve the SEH, Inc. 2022 Cypress Drive Improvements Project Agreement for Professional Services - Feasibility Report Contract in the Not to Exceed Amount of \$14,977.00.
5. Approve the DeChantal Excavating Partial Pay Estimate No. 1 in the amount of \$29,713.52 for the 2017 Elder Drive Improvements Project.

MOTION by Council Member Cross, seconded by Council Member Barrows to approve the Consent Agenda. Motion carried unanimously.

OTHER BUSINESS

Planning and Zoning Actions

Adopt Resolution No. 2017-073 approving a Conditional Use Permit allowing motor fuel sales at 15811 Audubon Way

Community Development Director Doty explained the request has received previous council approval and one administrative extension. Shortly after staff has approved the administrative extension, the property owner was ready to commence the project. The current request is the same request as the council approved two years ago, for three standalone gas pumps, except the request no longer includes a car wash. The two existing tenants will manage the gas pumps. The Planning and Zoning Commission has recommended approval.

MOTION by Council Member Barrows, seconded by Council Member Cross to adopt Resolution 2017-073 approving a conditional use permit allowing motor fuel sales at 15811 Audubon Way, subject to the facts and findings. Motion carried unanimously.

Adopt Resolution No. 2017-074 revising Resolution No. 2017-014 to allow a revised phasing plan for the Pine Grove Estates Planned Unit Development located South of Clearwater Road and East of Forest Drive

Community Development Director Doty explained the applicant is seeking approval to revise the phasing plan approved in February 2017. The phasing plan was approved for three 35 unit

apartment buildings and two townhouse buildings. The proposed south apartment building was scheduled to be constructed next, but the applicant would like to construct the third building next to reduce disruption to the current tenants. The applicant has agreed to complete the trail south to the Gander Mountain property and to loop the utilities. There would be a proposed fire lane constructed between the two buildings. The overall development plan would still be followed; just the order of the building construction would be changed. The new approval would include the condition of having to pave the gravel segment of the looped fire lane at the trail connection. Mr. Doty explained if the third phase construction has not commenced by 2021 the gravel fire lane shall be paved. Council Member Holman explained the need to maintain private roads, which appear to be public, at the same standard of public roads.

MOTION by Council Member Barrows, seconded by Council Member Nystrom adopt Resolution No. 2017-074 revising Resolution No. 2017-014 to allow a revised phasing plan for the Pine Grove Estates Planned Unit Development located South of Clearwater Road and East of Forest Drive, subject to the facts and findings. Motion carried unanimously.

Adopt Ordinance No. 2017-007, Summary Ordinance No. 2017-008 and Findings of Fact Resolution 2017-075 approving an ordinance amending the text of Title 4, Title 10, and Title 11 of the City Code

Community Development Director Doty explained the request is a city application for several zoning amendments. The amendments include updates to standards for native prairie and forest restoration in section 4-4-5 (Subsections A and C); definitions in section 10-2-2; signs in section 10-5-1 (Subsections E and F); off street parking in section 10-5-2 (Subsection C); drive-through businesses in section 10-5-5 (Subsection A); motor fuel stations in section 10-5-8 (Subsection C); and concurrent preliminary and final plat review procedure in section 11-2-4 (Subsection A).

The City has received a letter from a property owner asking the council to consider either tabling the vote on the drive lane amendment or vote on a 12' drive lane rather than the staff recommended 14' drive lane.

MOTION by Council Member Barrows, seconded by Mayor Olson to table the Ordinance No. 2017-007, Summary Ordinance No. 2017-008 and Findings of Fact Resolution 2017-075 approving an ordinance amending the text of Title 4, Title 10, and Title 11 of the City Code. Motion carried unanimously.

Adopt Ordinance No. 2017-009, Summary Ordinance No. 2017-010 and Findings of Fact Resolution 2017-076 approving city code amendments to repeal and replace the Floodplain Management code

Community Development Director Doty explained FEMA requires local governments to update their ordinances to be equally or more restrictive than FEMA. Due to FEMA's update, property owners that were not required to purchase flood insurance may now be required to purchase flood insurance. If the council adopts the ordinance, staff recommends mailing letters to the property owners now potentially required to purchase flood insurance. The ordinance needs to be adopted and published before August 15, 2017.

MOTION by Council Member Cross, seconded by Council Member Holman to adopt Ordinance No. 2017-009, Summary Ordinance No. 2017-010 and Findings of Fact Resolution 2017-076 approving city code amendments to repeal and replace the Floodplain Management code. Motion carried unanimously.

COUNCIL COMMENTS

Quinn Nystrom – Encouraged everyone to attend the second annual music in the park concert on July 19.

Steve Barrows – Complemented the finance department on their outstanding work on the 2016 audit.

Darrel Olson – Thanked Council Member Holman for presiding over the July 10 special council meeting. Congratulated Senator Carrie Ruud for her work representing cities and receiving the LMC award. Received a phone call from Representative Heintzeman explaining the state bonding tour will be in Baxter in August 13-16. Asked council to email project ideas to City Administrator Chapulis.

CITY ADMINISTRATOR COMMENTS

City Administrator Chapulis received an email from the Fruth family explaining their decision will be to not execute the petition for the Excelsior Road commercial improvement project. Staff will bring the Excelsior Road commercial project to the August 15 council meeting.

CITY ATTORNEY COMMENTS

Attorney Person explained the council would be entering into a closed session under Minnesota Statute 13D.05, subd. 3 (c) to discuss the purchase of property.

Council Member Holman suggested staff review the presentation from the Congressman Nolan listening session prepared a couple of years ago.

Closed Session, Minnesota Statute 13D.05, subd. 3 (c), Purchase of Property

MOTION by Council Member Cross, seconded by Council Member Barrows to enter into a closed session at 7:44 p.m. under Minnesota Statute 13D.05, subd. 3 (c), Purchase of Property. Motion carried unanimously.

Mayor Olson opened the meeting at 7:54 p.m.

Attorney Person explained there was council consensus to adopt the resolution to present the offers to purchase property.

MOTION by Council Member Holman, seconded by Council Member Barrows to adopt Resolution 2017-077 authorizing the presentation of offers to property owners and to acquire the property areas needed either by negotiation or condemnation for the 2017 Excelsior Road Residential Area Improvement Project. Motion carried unanimously.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Nystrom to adjourn at 7:53 p.m. to the July 19 Music in the Park event. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

BAXTER CITY COUNCIL MINUTES

Work Session

July 18, 2017

Mayor Darrel Olson called the Work Session to order at 5:30 p.m.

COUNCIL MEMBERS PRESENT: Mayor Darrel Olson, Council Members Quinn Nystrom, Todd Holman, Steve Barrows and Mark Cross.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Administrator Bradley Chapulis, Community Development Director Josh Doty, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Police Chief Jim Exsted, Assistant Finance Director Susannah Jensen, and Public Works Director Trevor Walter.

2016 Audit Exit Interview

Doug Host, Principal at CliftonLarsonAllen, presented the results and findings of the city's 2016 audit. Mr. Host provided a summary of the City's general and enterprise funds and recommendations contained in the Management and Compliance Letter and Letter to Governance. A clean, unqualified opinion was issued.

Council Budget Work Session to Discuss 2018 Goals and Priorities, including 5-Year Capital Improvement Plan Initial Projects Proposed for 2018

Finance Director Vacinek explained the initial meeting is to have preliminary discussion on the goals and priorities that should be incorporated into the 2018 Budget as departments begin to assemble their respective budgets for council consideration. Finance Director Vacinek summarized Minnesota Legislature budget impacts, property valuations, figures on new construction, change in estimated market value, personnel costs, Brainerd fire contract, outside funding requests, and other costs such as general elections. The next budget meeting is scheduled for August 29.

Council Member Holman presented a list of several items for council consideration. Council Member Nystrom asked staff to continue work on developing improved citizen communications.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn the council work session at 6:52 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

REQUEST FOR COUNCIL ACTION

August 1, 2017

Department Origination: Police

Agenda Section: Consent

Agenda Item: Accept \$500.00 Donation from Baxter Lions Club for Night to Unite Event

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The Baxter Police Department once again will host our Minnesota Night To Unite event on August 8th, 2017. The Baxter Lions Club continues to be a great partner in this event and have once again stepped forward with a \$500 donation to the activities and costs associated with the event. They were also an active partner volunteering hours the night of the event.

FINANCIAL IMPLICATIONS

None

STAFF RECOMMENDATION

Staff recommends acceptance of the \$500.00 from Baxter Lions Club for the Minnesota Night to Unite event on August 8th, 2017.

COUNCIL ACTION REQUESTED

Motion to accept the \$500.00 donation from Baxter Lions Club to be used for the 2017 Minnesota Night to Unite event.

REQUEST FOR COUNCIL ACTION

August 1, 2017

Department Origination: Administration **Agenda Section:** Consent

Agenda Item: Approve Taxi License for Baker Transportation Inc. d/b/a Elite Taxi for licensing period August 2, 2017-June 30, 2018

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

Baker Transportation Inc. has submitted an application, certificate of insurance, and paid an application fee for the issuance of a taxi license. Staff has reviewed the application and found they are eligible for a license.

FINANCIAL IMPLICATIONS

The cost of administering the issuance of the taxi license is offset by the application fee.

STAFF RECOMMENDATIONS

Staff recommends Council approve the issuance of a taxi license to Baker Transportation Inc.

COUNCIL ACTION REQUESTED

Motion to approve taxi license for Baker Transportation Inc.

PARKS & TRAILS COMMISSION MINUTES
July 24, 2017

The regular meeting of the Baxter Parks and Trails Commission was called to order at 4:00 p.m.

MEMBERS PRESENT: Acting Chair Ken Hasskamp, Commissioner Mari Holderness, Steve Jones, Melissa Barrick, Josh Pennington and Council Liaison Quinn Nystrom

MEMBERS ABSENT: None

STAFF PRESENT: Community Development (CD) Director Josh Doty, Planner Matthew Gindele and City Administrator Brad Chapulis

OTHERS PRESENT: None

Acting Chair Hasskamp introduced Commissioner Steve Jones to the Commission. Commissioner Jones stated that they moved up here 40 years ago due to a job. He has previously been on Long Range Planning and involved in the youth activities in the past. Mayor Olson approached him about serving on the commission and he decided to get back into serving on a Commission. Acting Chair Hasskamp welcomed him to the Commission.

Approval of the Minutes

MOTION by Commissioner Pennington, seconded by Commissioner Holderness regular meeting minutes of May 22, 2017. Motion carried unanimously.

Memorial Trail Bench Locations

Planner Gindele gave the background of the memorial bench program. He stated that this is the 3rd year of the program. Planner Gindele stated that staff has received some calls from residents requesting a bench along trails. At the last Commission meeting staff was asked to map out locations along the trails for memorial benches to be installed. Included in the packet was a map showing all of the trails in Baxter and the type of trail surface and distance of each trail. Planner Gindele indicated that 13 locations were selected. All locations are off the road trails with grade separation from traffic. Planner Gindele reviewed the locations as Clearwater Rd. trail had 3 locations, 1 on Woida Rd., 3 on the Clearwater park land, 1 at Foley Rd./Knollwood Dr. intersection, 1 on Isle Dr., 3 on Highland Scenic and 1 at MOP park. The Commission reviewed the locations with the PowerPoint provided by staff.

Planner Gindele stated that staff is looking for a recommendation from the Commission. Commissioner Holderness asked about the bench that was donated by Essentia. Staff showed the location of the Essentia bench that has recently been installed. CD Director Doty stated that the map will be attached to the application for ease of use for the residents. Commissioner Barrick asked that the title be modified to include “trail” in the title. CD Director Doty stated that staff has had all positive responses on the bench program.

MOTION by Commissioner Holderness, seconded by Commissioner Barrick to approve the Memorial Trail Bench Map as presented by staff. Motion carried unanimously.

Parks CIP

CD Director Doty stated that in the past year this Commission had discussed the Parks Capital Improvement Plan (CIP) in conjunction with the Baxter Comprehensive Plan. He noted that a lot of time was put into the CIP plan and last year. CD Director Doty started with a review of 2016, which was a year where quite a bit of money was spent on projects, specifically the OK Park Pavilion. CD Director Doty stated that the Commission should review/resume looking at the CIP to see if there is any reason to move some projects around or keep the

projects where they are currently located by year. He informed the Commission that there is roughly \$300,000.00 in the Parks Dedication Fund and is not sure how many more new projects would generate additional park funds.

CD Director Doty reviewed the 2016 items that were completed. He then reviewed 2017 items that have been completed thus far. CD Director Doty stated that he has spoken to the Parks Supervisor and they agreed the benches, picnic tables and garbage containers/recycling containers can be removed after 2018, as the parks will be in good shape with those items. He informed the Commission that the recycling program is still being monitored by staff to determine the use of the program and stated that the results of the program will be presented to the Commission in the fall. CD Director Doty stated that the 371 bridge study has yet to be completed. He indicated that this CIP was generated by several staff members to gain a better understanding of what is needed in the parks. There was discussion at the staff level regarding ADA updates to the playground equipment in several of the parks. Currently the playgrounds have sand and are not ADA accessible, these areas would be converted to an ADA approved wood chip surface. CD Director Doty stated that with new staff there has been discussion of native plantings in the park areas. In 2019, there is a potential for a trail connection to Jewelwood park from Clearwater Rd. CD Director Doty stated that he spoke to a resident who lives across the road from the park, the resident said the park is getting lots of use, however it is not pulling traffic in from off the road, and being there are only two parking spots, that is a good thing. It appears that only near-by residents are using it as was intended being that it is a neighborhood park. He noted that in 2019 and 2020 there is trail bench place holders in case the benches don't come in via donations. CD Director Doty reviewed the Paris/Forestview Community Entrance/Parking listed in 2019. He explained that with the extensions to the trail systems, people are parking on the cul-de-sac on Paris to access the trails. There is a need for parking in that location and the fence is unsightly as the opening to our community. There is also discussion of an east side parking lot as it may be safer for all users. In 2020 there is money slated for Whipple Beach perimeter trail, dog park and OK park basketball/tennis courts as a larger project. In 2021 there is a need for the LT hockey rink to be replaced, exercise equipment and the Clearwater Park wood chip trails. 2022 has staff looking at the Oakwood Trail TAP grant and the Safe Routes to School Improvements.

CD Director Doty asked if there were any questions or comments regarding the CIP plan. Commissioner Barrick asked if this plan was previously approved by the Council. CD Director Doty stated the 2017 budget went in front of the Council with 3 additional options that were not approved: Whipple Beach erosion control, the exercise equipment and the dog park. He stated that more of a presentation can take place at the 2018 Council budget work session if the Commission feels comfortable with the proposed CIP.

Commissioner Holderness suggested doing the ADA woodchip for the play grounds in all city parks at one time and take it off of the list completely. Commissioner Pennington asked if a cost analysis has been done comparing the cost of the ADA woodchips against the cost of the ADA recycled rubber. CD Director Doty stated staff can do that.

Commissioner Holderness asked if the dog park locations have been explored. CD Director Doty stated the last location was of a concern for staff being there is a barking dog ordinance. The location needs to be somewhat remote to keep the ordinance in place yet close enough to make sure it gets used. CD Director Doty asked if the Commission would like additional locations to be researched. Council Liaison Nystrom stated that she and Councilman Holman's have asked about the Clearwater park land and making improvements such as trails and benches. She thought that might be a good place for a dog park, being some of it is low land and cannot be used. CD Director Doty indicated that the land is roughly a 1,000 feet from the closest home. He stated that there is a lot of space there and it could work. Staff will do some research to see where the previous barking dog complaints were from and the distance from each complaint. Acting Chair Hasskamp asked staff to research past dog complaints to determine what an acceptable distance from homes would be.

Commissioner Barrick asked to place the Good Samaritan property as a potential trails project. CD Director Doty stated that is a great example of a project that might need to be moved up depending on development. Commissioner Barrick asked if the items that have grant funding next to them are only going to get built with grant funding. CD Director Doty stated that it depends on the cost, location and several other items if the grant funding is not available. He used the Oakwood trail grant as an example. Baxter did not get the grant, therefore it was placed further down the line when they can apply again. Commissioner Barrick asked about the Jewelwood/Clearwater trail and if doing some work up front would be costly and ease the project along. CD Director Doty stated that trail was going to be located in a development that was being developed at the time but the development did not take place. CD Director Doty explained some of the implications the City would now have to overcome to get the trail across that property.

Commissioner Barrick stated that a study would be helpful to determine the route. CD Director Doty stated the first item would be talking to the property owners and see if they would be willing to work with the City for a trail system. He indicated that the grant favors applications that already have the land where the trail is to be located prior to grant submittal. If the property owners say no, then the project will not move forward.

Commissioner Pennington asked if these trails could potentially be part of a multi-year phased trail project. He suggested that maybe a single phase of a trail would have a better chance of receiving grant funds so that the park dedication funds could be freed up for other projects. Pennington used the Oakwood Trail as an example. CD Director Doty stated that a phased approach could be a good method of applying for trail grants CD Director Doty talked about how the TAP grant's transportation requirement may have hurt the City's chances for the grant. CD Director Doty stated they are still working with Camp Vanasek to gain written approval but they are reluctant to provide it, therefore the county grant was recently pulled. CD Director Doty informed the Commission about past conversations the City has had with Camp Vanasek and the County about the Oakwood trail and the TAP grant process.

Council Liaison Nystrom suggested that maybe the Oakwood trail and Jewelwood/Clearwater trail should be flipped, as Clearwater Rd. is used a lot.

Park Maintenance Update

CD Director Doty reviewed the memo from parks maintenance staff, showing progress on projects and projects that have been completed. Commissioner Jones asked about the water schedule for the new trees at Whipple. CD Director Doty stated that he has seen them get water and that they are on a watering schedule but did not know what the schedule was.

Other Business

Acting Chair Hasskamp informed the Commission that the new City Administrator was in the audience and asked him to introduce himself. Administrator Chapulis introduced himself, gave a brief background on his local government experience and sat back down.

Acting Chair Hasskamp informed the Commission that this would be his last meeting as he is moving to the twin cities. CD Director Doty stated that he will be missed on the Commission.

The next scheduled meeting is August 28, 2017 at 4:00 pm.

Adjournment

MOTION by Commissioner Barrick, seconded by Commissioner Pennington to adjourn the meeting at 5:16 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Acting Chair Ken Hasskamp

Shanna Newman, CD Administrative Assistant

LONG RANGE PLANNING COMMISSION MEETING
July 24, 2017

The Long Range Planning Commission meeting was called to order at 6:27 p.m. by Acting Chair Ryan.

MEMBERS PRESENT: Bob Ryan, Cathy Clark, and Rock Ylimeini

MEMBERS ABSENT: Chair Kevin Donnay, Commissioners Lori Rubin, Mark Cross and Council Liaison Todd Holman

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS: None

Approval of Minutes

Motion by Commissioner Ylimeini, second by Commissioner Clark to approve the minutes of the May 22, 2017 meeting. Motion carried unanimously.

Comprehensive Plan Amendment to the Future Land Use Plan for 10 Properties

CD Director Doty stated that due to the lack of Commission members it might be best to table this item to ensure the Commission meets the state statute on comprehensive plan amendments.

Motion by Commissioner Clark, second by Commissioner Ylimeini to table the Comprehensive Plan Amendment to the Future Land Use Plan for 10 Properties as suggested by staff. Motion carried unanimously.

Other Business

The next meeting is scheduled for August 28, 2017 at 6:00 p.m.

Adjournment

Motion by Commissioner Clark, second by Commissioner Ylimeini to adjourn the meeting at 6:30 p.m. Motion carried unanimously.

Approved By:

Submitted By:

 Acting Chair Bob Ryan

 Shanna Newman
 CD Administrative Assistant

Request For Council Action

August 1, 2017

Department Origination: Community Development

Agenda Item: Memorial Park and Trail Benches

Approval Required: Approve Memorial Bench trail location map and revised Memorial Bench Application

BACKGROUND

At the May Park Commission meeting, the Commission discussed the idea of creating a map of suggested memorial bench locations on City trails. The idea was that residents wishing to donate a bench to the City could look at a map of suggested bench locations to help them narrow down their preferred location. Furthermore, having a map of suggested bench locations along trails could help draw attention to the idea of placing a memorial bench along a trail rather than just in the parks. As a result of that conversation, the Commission directed staff to create a map of city-suggested locations for memorial benches to be placed along city trails.

Attached is a trails map that shows the different types of bike and pedestrian trails and lanes that are currently in Baxter. As you can see from the attached map, there are numerous different types of bike and trail environments. In addition, each of these environments has different amounts of City ROW to be used for trails. The attached map identifies thirteen strategically placed bench locations along city trails that residents may choose from if they wish to help them select a location on a trail for their donated memorial bench. Staff identified the selected locations primarily by identifying areas along existing trails that had enough high ground within existing ROW or adjacent publically-owned property to fit a memorial bench. A secondary means of sight selection used was proximity to aesthetically pleasing features such as wetlands and forests as well as proximity to other existing and suggested bench locations. Only city-owned/maintained off-road trails were considered for suggested bench locations.

FINANCIAL IMPLICATIONS

No additional land is needed to locate benches in the suggested locations along city trails. Furthermore, the benches would ideally be donated by residents through the memorial bench donation program. Therefore, staff does not anticipate any cost to the City.

PARKS AND TRAILS COMMISSION RECOMMENDATION

At its regular meeting on July 24, the Parks and Trails Commission recommended approval of the suggested trail bench locations map and the revised memorial park and trail bench donation application.

ACTION REQUESTED

Staff requests that the City Council moves to approve the trail bench map and the memorial park and trail bench donation application.



CITY OF BAXTER

Date Paid _____ 20____
Receipt# _____
DONPKBENCHMEM
(2201-04.36434)

Memorial Park And Trail Bench Donation

A memorial park bench is a great way to remember a loved one, or friend or as a way to donate to the City's park and trail system.

The bench cost (including personalized plaque engraving and concrete base) is approximately \$1,500.



Bench Donation Policy

- One style of bench has been chosen to maintain consistency within the City's park system.
- After an application and donation/fee is submitted, staff will review the specific location requested by the applicant. If City staff is concerned with the proposed location, staff will work with the applicant to try to find an acceptable alternative location. If a location cannot be agreed upon, the donation fee will be refunded to the applicant. The City of Baxter has final discretion regarding bench locations to make sure that the location does not impact future improvement planning within the City's parks.
- Once an acceptable location is recommended, staff shall present the application to the City's Park and Trails Commission for their recommendation and will forward the application to the City Council for final consideration and acceptance of the donation. After final approval is granted by the City Council, staff will order the bench and personalized plaque.
- The City's Park Maintenance staff will pour the concrete pad and install the bench (during warm weather conditions).
- The bench is made of metal and bolts to a concrete pad to allow for a long life expectancy. However, the City is not obligated to replace the bench if damaged or if it is beyond its useful life. If the bench is in need of replacement, the city will attempt to contact the applicant before removing the bench. If the bench is damaged such that there is an immediate threat to public safety, the City shall have the authority to remove the bench.
- Applicants wishing to donate a bench to be placed on a trail are encouraged to consider one of the suggested locations indicated on the map on the reverse side of this application. For additional information on suggested trail locations, please contact City Planner Matthew Gindele at (218) 454-5118.

Application to Order a Bench

Applicant Name: _____

Address: _____
Street City State Zip

Phone (W): _____ Phone (H): _____ Email Address: _____

Name of Person to be Honored: _____

Engraving Inscription

- | | | |
|--|---|---|
| <input type="checkbox"/> In Memory of | <input type="checkbox"/> In Honor of | <input type="checkbox"/> Dedicated to the Memory of |
| <input type="checkbox"/> In Loving Memory of | <input type="checkbox"/> In Honor and Memory of | <input type="checkbox"/> Given in Loving Memory of |
| <input type="checkbox"/> Dedicated to | <input type="checkbox"/> In Appreciation of | <input type="checkbox"/> Donated by |

Requested Bench Location including Park Name and Preferred Location: _____

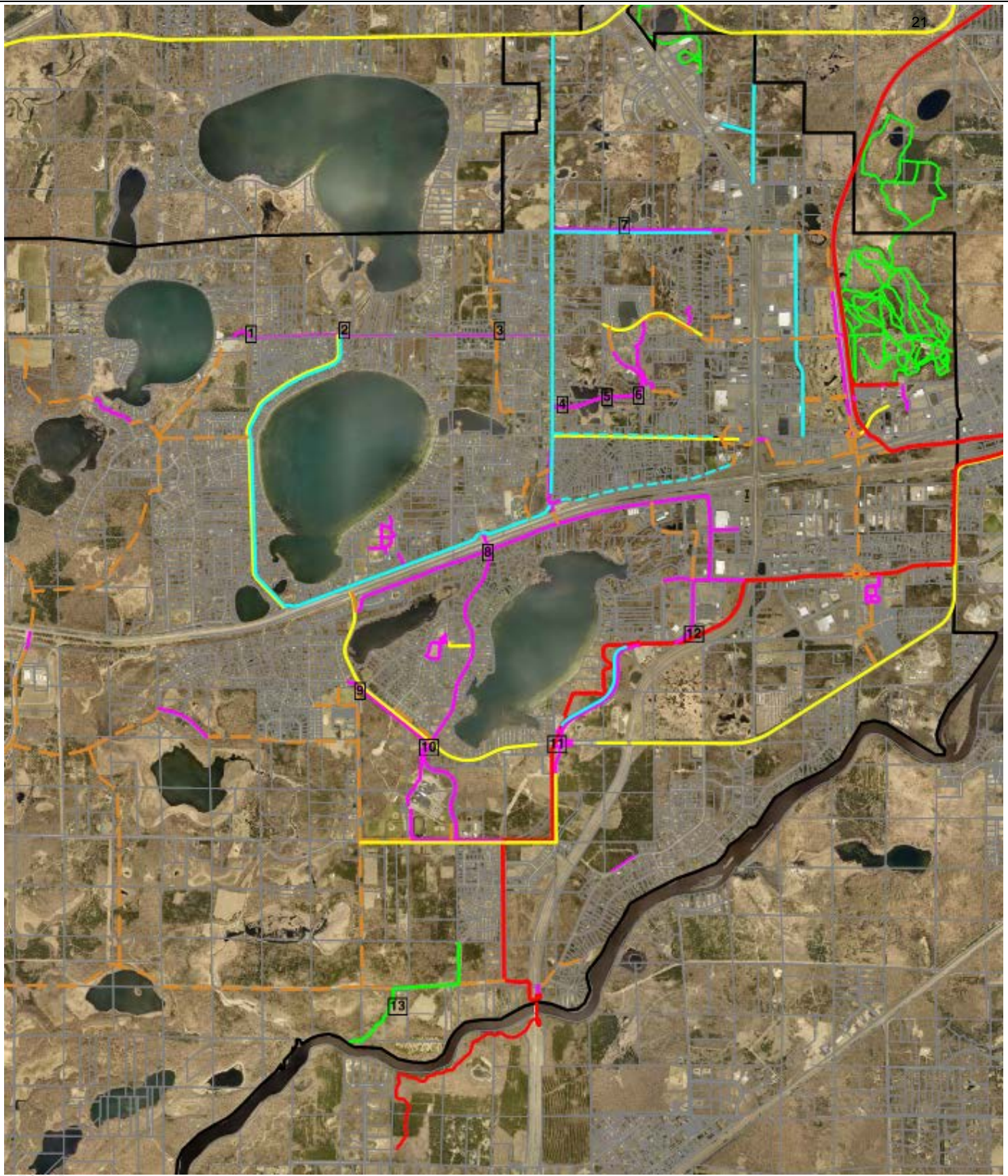
By signing, I have read the above bench donation policy and agree to the terms listed.

Applicant's Signature _____ Date _____

Applicant's Printed Name _____

Baxter City Hall, PO Box 2626, 13190 Memorywood Drive, Baxter, MN 56425

www.baxtermn.gov Email: cityhall@baxtermn.gov



LEGEND

- PAUL BUNYAN TRAIL (STATE OF MINNESOTA SEGMENT) - 6.22 MILES
- PAUL BUNYAN TRAIL (CITY OF BAXTER SEGMENT) - 4.45 MILES
- PAVED TRAIL (EXISTING) - 15.02 MILES
- PAVED TRAIL (FUTURE) - 23.38 MILES
- PAVED ROADWAY SHOULDER (EXISTING) - 9.18 MILES
- PAVED ROADWAY SHOULDER (FUTURE) - 0.29 MILES
- DESIGNATED PAVED BIKE LANE (EXISTING) - 7.03 MILES
- DESIGNATED PAVED BIKE LANE (FUTURE) - 3.33 MILES
- WOOD CHIP TRAIL BAXTER (EXISTING) - 2.31 MILES
- WOOD CHIP TRAIL NORTHLAND ARBORETUM (EXISTING) - 9.82 MILES
- CITY LIMITS



**CITY OF BAXTER, MINNESOTA
ORDINANCE 2017-007**

**AN ORDINANCE AMENDING THE TEXT OF TITLES 4, 10 AND 11 OF THE BAXTER
CITY CODE**

THE CITY OF BAXTER ORDAINS:

SECTION 1. Amendments. The text of Chapter 4, Section 5 “Standards for Native Prairie and Forest Restoration” of Title 4 (Public Health and Safety) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

4-4-5: STANDARDS FOR NATIVE PRAIRIE AND FOREST RESTORATION:

A. Setbacks From Lot Lines:

1. Not less than ~~twenty-ten~~ feet (210') from the front lot line. For the purposes of this chapter, corner lots shall be deemed to have two (2) front yards and on riparian lots no setback is required on the lakeside lot line.

2. Not less than five feet (5') from the side and rear lot lines. No such setback is required if there is an opaque fence along said lot line or if the native plants about a neighboring native plant landscape.

3. If the proposed native prairie or forest restoration area is replacing existing sod/turf, the natural area shall not exceed fifty percent (50%) of the sod/turf area.

B. Allowed Ground Cover In Setback: The setback area required in subsections A1 and A2 of this section shall be composed of regularly mowed turf grass, gardens, trees, shrubs, wood chips and/or rock.

C. Plan Approval: A plan setting forth the site layout and management of the restoration area which is in compliance with section 10-4-8 of Title 10 must be ~~prepared and~~ submitted by the applicant and approved by the zoning administrator before any ~~request will be considered~~ native areas may be planted. The ~~city council~~ zoning administrator may refer the plan to ~~a city commission~~ the City Council for recommendation before taking action. (Ord. 2009-9, 5-19-2009)

SECTION 2. Amendments. The text of Chapter 2, Section 2 “General Definitions” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

10-2-2: GENERAL DEFINITIONS

NONCONFORMING USE: A building, structure or use of a building, structure or parcel of land, or a portion thereof, lawfully existing as of the effective date hereof or amendment hereto, as a matter of right or by permit, which is not permitted in the zoning district in which it is located. ~~A nonconforming structure is considered a nonconforming use.~~

SECTION 3. Amendments. The text of Chapter 5, Section 1 “Signs”; Section 2 “Off Street Parking”; and Section 8 “Motor Fuel Stations of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

10-5-1: SIGNS:

E. Signs Permitted In RS, R-1, R-2, R-3 And PB Districts:

5. One freestanding sign not to exceed thirty two (32) square feet may be allowed for apartments in R-2 and R-3 districts and uses in the PB district. ~~Any sign greater than six (6) square feet~~The sign shall be set back at least ten feet (10') from any property line. No sign located in residential zones shall exceed seven feet (7') in height above the average grade level. Signs may be illuminated by such lighting but shall be diffused or indirect and not illuminated beyond any lot line and the source of the light shall be concealed unless an approval for special lighting is approved by the city council. (Ord. 2013-7, 5-21-2013)

6. Church or Public Facility: A church or public facility shall be permitted one wall sign not to exceed twenty-four (24) square feet or one freestanding monument sign not to exceed fifty (50) square feet. Free standing signs shall be subject to the following:

a. The sign shall be set back a minimum of ten feet (10') from any property line.

b. The sign shall be a maximum of ten feet (10') in height.

F. Signs Permitted In OS, I, CI, C1 And C2 Districts:

1. Size: One freestanding pylon, multi-tenant pylon, or monument sign is allowed per property, unless a conditional use permit is approved to allow multiple entrance signage pursuant to subsection G2 of this section. The aggregate square footage of the freestanding business signage and directional signage per lot shall not exceed the sum of one square foot for each front foot of lot to a maximum of two hundred (200) square feet except for multi-business signs approved pursuant to subsection G1 of this section. Any lot upon which three (3) or more businesses are located may add an additional 0.25 square feet of sign space for every linear foot along a side lot line to a maximum of two hundred fifty (250) square feet of sign space to accommodate lots that extend a farther distance from the front lot line. Front footage is measured as a linear distance across the front lot line only, not a cumulative road frontage wherein a roadway is adjacent to two (2) or more property lines.

2. Setback: Freestanding signs shall be set back at least ten feet (10') from any property line.
3. Height: No freestanding sign shall extend more than six feet (6') in height above the ~~average height~~principal structure found by adding the wall height to half of the gabled peak or parapet height and dividing by two (2) of any principal building, not to exceed a maximum of forty feet (40').
4. Additional Signage Space: In commercial districts, up to ten percent (10%) of any face of the building and any face of the canopy may be dedicated to signage in addition to the aggregate maximum for cumulative signage referenced in subsection F1 of this section. This may include wall signs, window signs, awning signs and raised lettering.
5. Canopy Signs: Overhead canopies may have one sign on each face that occupies no more than ten percent (10%) of the face. Backlit canopies shall comply with the brightness and illumination standards set forth in this section as well as with those in section 10-5-4 of this chapter. (Ord. 2016-021, 5-17-2016)

10-5-2: OFF STREET PARKING

C. Design Requirements:

4. Aisle Width: Aisle width for two-way traffic shall be a minimum of twenty four feet (24'). For one-way traffic aisle width shall be a minimum of sixteen feet (16'). In instances where drive-through stacking and adjacent one-way bypass lanes are not adjacent to parking, the stacking lane shall be a minimum of ten feet (10') and the adjacent one-way shall be a minimum of fourteen feet (14').

10-5-8: MOTOR FUEL STATIONS:

C. Signs:

~~1. Freestanding Signs: Motor fuel stations and truck stops shall have no more than one freestanding sign. Said freestanding sign shall not exceed thirty feet (30') in height and may be erected within any yard except that no part of said sign shall be less than six feet (6') from a property line measured as a horizontal distance. Said sign shall have no more than three (3) faces and shall not exceed more than one hundred fifty (150) square feet per face. No part of said sign surface shall be less than sixteen feet (16') vertical distance from the grade of the nearest driveway or parking area. The pedestal or support posts shall not be less than ten feet (10') from a driveway at its nearest point.~~

~~12.~~ One Sign Per Face: The overhead canopy may have one sign on each face that occupies no more than ten percent (10%) of the face in compliance with section 10-5-1 of this chapter. (Ord. 2014-19, 6-17-2014)

SECTION 4. Amendments. The text of Chapter 2, Section 4 “Concurrent Preliminary and Final Plat Review Procedure” of Title 11 (Subdivision Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

11-2-4: CONCURRENT PRELIMINARY AND FINAL PLAT REVIEW PROCEDURE:

- A. Concurrent Preliminary And Final Plat Review: At the discretion of the planning and zoning administrator, applicants may file for concurrent review of the preliminary and final plat applications ~~in circumstances where no new public streets are proposed.~~

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

**CITY OF BAXTER, MINNESOTA
ORDINANCE 2017-008**

SUMMARY OF ORDINANCE NO. 2017-007

**AN ORDINANCE AMENDING THE TEXT OF TITLE 4, TITLE 10 AND TITLE 11 OF THE
BAXTER CITY CODE**

This ordinance amends the text of Title 4 “Public Health and Safety, “Title 10 “Zoning Regulations” and Title 11 “Subdivision Regulations” of the City Code. The ordinance consists of both technical and substantive amendments. The ordinance contains amendments to the following Sections:

Title 4, Chapter 4, Section 5, Standards for Native Prairie and Forest Restoration

Title 10, Chapter 2, Section 2, General Definitions

Title 10, Chapter 5, Section 1, Signs

Title 10, Chapter 5, Section 2, Off Street Parking

Title 10, Chapter 5, Section 8, Motor Fuel Stations

Title 11, Chapter 2, Section 4, Concurrent Preliminary and Final Plat Review Procedure

A printed copy of the amended sections is available for inspection by any person at City Hall during the City Clerk’s regular office hours.

Whereupon, said Ordinance is hereby declared adopted on this 1st day of August, 2017.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2017-075**

**A RESOLUTION APPROVING FINDINGS OF FACT FOR AN ORDINANCE AMENDING THE
TEXT OF TITLES 4, 10 AND 11, OF THE BAXTER CITY CODE**

WHEREAS, the City of Baxter initiated an amendment to update the City Code; and

WHEREAS, the amendment would be consistent with the Comprehensive Plan and other City policies and goals; and

WHEREAS, the Planning Commission has reviewed the proposed text amendments at a duly called public hearing and recommends approval;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the amendments, based upon the finding the following findings:

1. That the proposed amendments would be consistent with State law and the City's Comprehensive Plan, and compatible with other provisions of the City Code.
2. The City Code and Zoning regulations have a substantial impact public health and safety, quality of life in the City.
3. The amendments were needed to address technical and substantive City Code standards.
4. The amendments improve clarity and consistency in the City Code.

Whereupon, said Resolution is hereby declared adopted on this 1st day of August 2017.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal