



BAXTER CITY COUNCIL AGENDA

Tuesday, September 5, 2017

The regular meeting of the Baxter City Council will be held on Tuesday, September 5, 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. Public Comments**

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

5. 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 Joint Meeting Minutes from August 14, 2017 (pp. 3).
- B. Approve City Council Minutes from August 15, 2017 (pp. 4-6).
- C. Approve City Council Work Session Minutes from August 15, 2017 (pp. 7-8).
- D. Approve City Council Budget Work Session Minutes from August 22, 2017 (pp. 9-10).
- E. Approve the Payment of Bills and Finance Report (Addendum A).
- F. Approve 2017-2018 Contract for Chamber of Commerce Services (pp. 13-15).
- G. Approve the Renewal of the Forestview Middle School Police Liaison Contract with ISD 181 for the 2017-2018 and 2018-2019 School Years (pp. 16-20).
- H. Approve the Use of Drug Forfeiture Funds to Purchase Ballistic Vests for Officers in the Amount of \$7,100 (pp. 21).
- I. Approve the Use of Alcohol Forfeiture Funds to Purchase Medical Supplies for Squad Medical Bags in the Amount of \$700 (pp. 22).
- J. Approve Temporary Liquor License for the Brainerd American Legion Event on September 23, 2017 at the Northland Arboretum (pp. 23).
- K. Adopt Resolution 2017-084 Supporting the Application to Access 2017 State Capital Budget (Bond) Funds for the Cypress Drive Project, Capital Project Fund 4027 (pp. 24-27).
- L. Adopt Resolution 2017-085 Requesting Municipal State Aid Street Funds Advance (pp. 28-31).

- M. Accept Cemetery Commission Minutes of August 21, 2017 (pp. 32-33).
 - 1. Approve burial of unclaimed cremated remains in the Baxter City Cemetery based on findings of fact (pp. 34-36).
- N. Authorize Staff to Execute the WSB ArcGIS Enterprise Consulting Services Proposal(pp. 37).
- O. Approve Changes and Adopt City of Baxter Hunting Map (pp. 38-44).
- P. Accept Park Commission Minutes of August 28, 2017 (pp. 45-47).
- Q. Accept Long Range Planning Commission Minutes of August 28, 2017 (pp. 48-50).
- R. Approve Revisions to the Hardship Deferral Criteria of the Special Assessment Policy (pp. 51-52).
- S. Approve Agreement between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training (pp. 53).

6. Pulled Agenda Items

7. Other Business

- A. Adopt Resolution 2017-086 Approving Comprehensive Plan Amendment to Amend the City's Future Land Use Plan for 10 Properties (pp. 54-55).

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

11. Adjourn to the special council meeting on **September 7, 2017 at 6 p.m.**

BAXTER CITY COUNCIL MINUTES
Special Meeting
August 14, 2017

Mayor Darrel Olson called the special meeting to order at 6:00 p.m.

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

COUNCIL MEMBERS ABSENT: Council Members Todd Holman and Quinn Nystrom

STAFF PRESENT: City Administrator Bradley Chapulis, Assistant City Administrator Kelly Steele, and Community Development Director Josh Doty

A joint meeting with the city of Brainerd was conducted to discuss informally the mutual concerns, needs and challenges of the respective cities. State Demographer Susan Brower provided current and projected data regarding population trends, work force challenges, an aging population base, and the effect of all factors as related to the school district. Meeting attendees reviewed a list of shared service items between the City of Baxter, city of Brainerd, and Crow Wing County. The cities discussed meeting again in January.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

BAXTER CITY COUNCIL MINUTES
August 15, 2017

Vice Mayor Todd Holman, 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: Vice Mayor Todd Holman, Council Members Quinn Nystrom, Steve Barrows, and Mark Cross.

COUNCIL MEMBERS ABSENT: Mayor Darrel Olson

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

CONSENT AGENDA

- A. Approve City Council Minutes from August 1, 2017
- B. Approve City Council Work Session Minutes from August 1, 2017
- C. Approve City Council Special Minutes from August 10, 2017
- D. Approve City Council Special Minutes from August 10, 2017
- E. Approve the Payment of Bills and Finance Report
- F. Adopt Resolution 2017-077 Ordering Preparation of Report on the 2019 Memorywood Drive Improvement Project
- G. Adopt Resolution 2017-078 Adopting Assessment for the 2017 Excelsior Road Residential Area Improvement Project, Municipal Project Number 4120
- H. Adopt Resolution 2017-079 Adopting Assessment for the 2017 Mill & Overlay and Full Depth Reclamation Improvement Project, Municipal Project Number 4417
- I. Adopt Resolution 2017-080 Accepting Bid for the 2017 Mill & Overlay and Full Depth Improvement Project, Municipal Improvement No. 4417 and 2017 Excelsior Road Residential Area Improvement Project, Municipal Improvement No. 4120
- J. Approve the Crow Wing County/BNSF Grade Crossing Agreement in the amount of \$2,000.00 for the temporary construction license.
- K. Approve the Crow Wing County/BNSF License for Bicycle Path/Pedestrian Walkway License in the amount of \$11,245.00 for one-time license fee, reprocessing fee and insurance.
- L. Accept Planning and Zoning Commission Minutes of August 9, 2017
- M. Accept Utilities Commission Minutes from August 2, 2017
 1. Approve Traffic Marking Services Inc. 7-Day Contract Extension Request of the 2017 City of Baxter Striping Project.
 2. Move the 2017 Lift Station No. 3 Re-route Improvements Project to 2018 to allow additional time for permits, optimized construction bids and early construction.
 3. Approve the Bolton & Menk 2017 Pavement Management Program Assistance Contract Amendment in the Not to Exceed amount of \$2,000.00.
 4. Approve the Bolton & Menk Proposal for Engineering Services – 2017 CIP and GIS Assistance Contract in the Not to Exceed amount of \$14,500.00.

5. Approve the City of Baxter Right-of-Way Plat No. 11 for the Cypress Drive Improvements Project.
 6. Approve the Bill Ludenia Appraisals Quote on Parcels 2, 3, 6, 9, 11, 12, 14, 17, 18, 19, 21, 25, 27, 28, 29 and 30 for the 2018 Cypress Drive Improvements Project in the Not to Exceed amount of \$21,000.00.
 7. Approve the Kelly Lindstrom Appraisal Review Quote on Parcels 2, 3, 6, 9, 11, 12, 14, 17, 18, 19, 21, 25, 27, 28, 29 and 30 for the 2018 Cypress Drive Improvements Project in the Not to Exceed amount of \$12,000.00.
 8. Approve the Super One/Fairview Road Improvements Project Plans and Specifications contingent on changing the HDPE Storm Sewer Pipe to concrete at Stations 7700-7900.
 9. Approve the City of Baxter Right-of-Way Plat No. 12 for the 2018 Excelsior Road/Edgewood Drive Improvements Project.
 10. Approve the DeChantal Excavating Change Order No. 1 in the increased amount of \$6,166.90 for the 2017 Elder Drive Improvements.
 11. Approve the WSN Agreement for Professional Engineering Services for Memorywood Drive Improvements Feasibility Report in the Not to Exceed amount of \$13,500.00
 12. Approve the Tri-City Paving Contract for the 2017 Mill & Overlay and Full Depth Reclamation Improvements Project and the 2017 Excelsior Road Residential Area Full Depth Reclamation Improvements Project in the amount of \$880,678.80.
- N. Adopt Resolution 2017-082 Supporting the Application to Access 2017 State Capital Budget (Bond) Funds for the Cypress Drive Project
- O. Adopt Resolution 2017-083 Supporting the Minnesota Government Access (MGA) Request by Baxter Police Department for Access Through the Minnesota Judicial System

MOTION by Council Member Cross, seconded by Council Member Nystrom to approve the Consent Agenda and tabling of agenda item N. Motion carried unanimously.

OTHER BUSINESS

Planning and Zoning Actions

Adopt Resolution 2017-081 approving a Conditional Use Permit to allow for the expansion of a nonconforming structure on a nonconforming riparian lot located at 14378 Shoreview Drive.

Community Development Director Doty explained the applicant is proposing to expand an existing deck attached to a single family home that is located within the required 100-foot setback of Whipple Lake. The requested conditional use permit is to allow for a legal nonconforming deck on a riparian lot to be enlarged on Whipple Lake. The existing home has a 33-foot setback from the ordinary high water level making it a legal nonconforming structure within the Shoreland overlay district of Whipple Lake. The proposed deck expansion would expand the total square footage within the required setback to the lake but would not encroach any closer to the lake, thus maintaining the legally existing setback. The applicant is not proposing any grading with this project and therefore, staff is not requiring erosion control practices. The Planning and Zoning Commission has recommended approval.

MOTION by Council Member Barrows, seconded by Council Member Cross to adopt Resolution 2017-081 approving a Conditional Use Permit to allow for the expansion of a nonconforming structure on a nonconforming riparian lot located at 14378 Shoreview Drive. Motion carried unanimously.

COUNCIL COMMENTS

Mark Cross - Reminded motorists to watch out for motorcycles.

CITY ADMINISTRATOR COMMENTS

City Administrator Chapulis reminded council of the special budget work session scheduled on August 29 at 6 p.m.

CITY ATTORNEY COMMENTS

Attorney Person explained the closed session agenda item has been withdrawn from the agenda.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn at 7:10 p.m. to the August 29, 2017 Special Council Budget Work Session. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

BAXTER CITY COUNCIL MINUTES
Work Session
August 15, 2017

Vice Mayor Todd Holman called the Work Session to order at 6:15 p.m.

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

COUNCIL MEMBERS ABSENT: Mayor Darrel Olson

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

2018 EXCELSIOR ROAD/EDGEWOOD DRIVE IMPROVEMENTS PROJECT

Chuck Rickart, consulting engineer with WSB, presented the Right-of-Way (“ROW”) Plat #12. ROW Plat #12 contains revisions from the previous ROW Plat #10 approved by the council. ROW Plat #10 included both the residential project area and commercial project area. In order to file ROW Plat #10, and since the commercial area is still being studied, the residential and commercial areas needed to be separated into two areas. ROW Plat #10 is now less the commercial area. The parcel numbers in ROW Plat #10 have been maintained for ROW Plat #12. Changes to the Fruth property have been made to ROW Plat #12 to include property required for the construction of the roundabout. Although the construction of the south roundabout leg is not currently proposed, the City should consider purchasing all property needed from the church at this time. Parcel #28 was the only parcel with a change in the amount of land. The plat is on tonight’s consent agenda for approval.

The layout has been revised to no longer show the south connection to Fairview Road. If agreed to by Frandsen Bank, the bank would be provided a temporary left out onto Excelsior Road. The amount of property needed to be purchased for the lift station may be reduced. In September, the council will consider formal approval of the layout and to bid the project.

Council Member Barrows inquired if the driveway around Boomer Pizza would provide adequate room for exiting semi traffic. Mr. Rickart explained semis would be able to make the turn except large semis will have to use the main access. Council Member Barrows inquired if the temporary left exit for Frandsen Bank is duplicating the current traffic problem. Mr. Rickart explained the left turn will be constructed as a hard left turn to prevent right turns.

The Council will consider approving the plans and specifications and appraisals, excluding the Fruth appraisal, on September 5. Once the appraisals have been approved, property owner negotiations will commence. The project would be bid and bids opened on November 15. The assessment hearing would be held on December 7. A construction contract could be awarded on January 16, 2018.

Construction impacts will be limited as much as possible. Access throughout the construction period would be maintained to both Cub Foods and Holiday. The roundabout would be closed to traffic for a short period of time.

Council Member Holman inquired if the bike lane on the south side of Excelsior Road to TH 371 will be constructed in the future. Mr. Rickart explained the city would acquire land on the left side of the roundabout for the trail, but not on the right side.

Council Member Nystrom inquired if the Fruth property will receive an assessment for the project. Mr. Rickart explained Finance Director Vacinek is reviewing the assessments and should have assessment estimate for council review on September 5. Mr. Vacinek explained he has conducted conversations with the City's bond counsel regarding an area wide assessment. The City is not assessing other property owners more because the Fruth project has been withdrawn. The City would be holding the Fruth costs and would negotiate those costs in the future with Fruth.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn the council work session at 6:38 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

BAXTER CITY COUNCIL MINUTES

**Work Session
August 29, 2017**

Mayor Darrel Olson called the Work Session to order at 6:00 p.m.

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

COUNCIL MEMBERS ABSENT: None.

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

REVIEW AND DISCUSSION OF 2018 PROPOSED OPERATING AND DEBT SERVICE PROPERTY TAX LEVY

Finance Director Vacinek explained there are no levy limits for the 2018 budget. The total proposed property tax levy is \$5,946,000, a \$139,000 or 2.39% increase from 2017. Of the total proposed levy, the debt service levy of \$1,076,000 remained unchanged from 2017. The operating levy is \$4,870,000, a \$139,000 or 2.94% increase from 2017. The estimated tax capacity for taxes payable in 2018 will not be available until mid-September or early October. Based upon the spring mini-abstract, new construction added for taxes payable 2018 is approximately \$8.8 million, generating about \$109,027 of tax capacity. Deducting for estimated new construction within tax increment districts, the net new construction is about \$8.0 million with net tax capacity of approximately \$96,271. As a comparison, for 2017 payable, new construction was estimated at \$15.1 million with \$191,065 of tax capacity and \$183,298 of net tax capacity of the 2016 spring mini-abstract. Based upon the city's current tax capacity rate of 50.313% and an estimated additional net tax capacity of \$96,271 from new construction, approximately an additional \$48,437 of revenue would be generated.

The proposed 2018 budget redirects 2% of cable franchise fees from Lakes Media to city communication uses, including city website upgrades and city newsletters.

Council discussion is requested on four items are not currently incorporated into the proposed 2018 budget. Those items include \$125,300 for an assistant engineer position, \$85,000 for a snow blower for the front end loader to clear snow from roundabouts, \$4,000 for stripping residential streets, and \$37,500 to replace street name signage at the Retroreflectivity warranty period expiration versus sign condition.

Finance Director Vacinek reviewed the 2018 operating budget, including various highlights. The Council asked staff various questions throughout the budget review. Public Works Director Walter provided background information on the four items not currently incorporated in the proposed 2018 budget.

Including all four items into the budget would increase the levy by approximately 6.73%. The Council directed staff to include \$125,300 for an assistant engineer position, \$85,000 for a snow blower, and \$37,500 to replace street name signage into the proposed 2018 budget as a place holder. The Council asked staff to provide additional information on these items for council consideration.

City Administrator Chapulis explained the council could contact him or Finance Director Vacinek should they have any further questions or comments prior to the continuation work session on September 5, 2017.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Nystrom to adjourn the council work session at 8:12 p.m. Motion carried unanimously.

Approved by:


Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator

REQUEST FOR COUNCIL ACTION

09/05/17

Department Approval: Finance Director Vacinek  **Agenda Section:** Consent
Approval Required: Simple Majority Vote of the Council

Item Description: Approve 2017-2018 Contract for Chamber of Commerce Services

BACKGROUND

The City of Baxter participates and cooperates with the Brainerd Lakes Chamber in promoting the economic development of the City of Baxter. City officials also participate in Chamber events and have access to Chamber information. The term of this cooperative relationship and the prior contract expired on August 31, 2017. The renewal of the proposed services contract between the City of Baxter and the Brainerd Lakes Chamber for the period of September 1, 2017 through August 31, 2018 is attached. The Chamber has already approved the contract.

FINANCIAL IMPLICATIONS

The cost to the City of Baxter is \$240, a \$10 reduction from last year. The proposed expenditure is budgeted for in the General Fund.

STAFF RECOMMENDATION

If the city council wishes to renew the chamber service contract, staff recommends approval of the attached proposed services contract, similar to last year's contract.

COUNCIL ACTIONS REQUESTED

Motion to approve the contract for services between the Brainerd Lakes Chamber and the City of Baxter for September 1, 2017 through August 31, 2018.

ATTACHMENT

Contract for Services between the Brainerd Lakes Chamber and the City of Baxter

**CONTRACT FOR SERVICES BETWEEN
THE BRAINERD LAKES CHAMBER AND
CITY OF BAXTER, MINNESOTA**

This agreement is made and entered into as of _____, 2017, by and between the City of Baxter, Minnesota (City), and the Brainerd Lakes Chamber (Chamber).

WHEREAS, the City has budgeted expenditures and provided funds that will be used for economic development purposes for the period commencing September 1, 2017 to August 31, 2018.

WHEREAS, the expenditure of public funds must be in furtherance of a public purpose or benefit; and

WHEREAS, the Chamber is willing to enter into a contract to provide certain public services and benefits to the City; and

WHEREAS, this agreement is entered into to set forth the respective duties and obligations of each party.

NOW, THEREFORE, in consideration of the promise of payment of funds from the City, and the agreement to provide services to citizens of the City by the Chamber, the parties agree as follow:

The term of this contract shall cover September 1, 2017 to August 31, 2018.

1. Upon the approval of this agreement, the City agrees to pay a fee to the Chamber for services rendered in the sum of \$240.00.
2. The City and Chamber agree during the contract period to participate with each other in the following manner:
 - A. To maintain an open line of communication between staff and governing bodies regarding economic development.
 - B. Participate in marketing efforts for the purposes of economic development.
 - C. The Chamber will conduct and involve City Officials in various committee meetings and public forums addressing economic development issues,
 - D. The Chamber will consider the City an honorary member, providing access to Chamber information and events.

3. The Chamber agrees to save and hold harmless the City from any and all liability or damages, including legal fees and court costs, which may arise out of the Chamber's performance of the contract.
4. In the event the City or the Chamber is made aware of any default under this contract and such notice is made in writing, which the City or Chamber fails to correct within thirty days from the date of notification, the City or Chamber may cancel and terminate this contract.
5. All notices, certificates, or communications shall be delivered, emailed, or mailed postage prepaid to the parties at their respective places of business as set forth below or at a place designated hereafter in writing by the parties.

Brainerd Lakes Chamber:
CEO
Brainerd Lakes Chamber
224 W Washington Street
Brainerd, MN 56401

City of Baxter:
City Administrator
City of Baxter
PO Box 2626
Baxter, MN 56425


IN WITNESS WHEREOF, the undersigned have placed their signatures as representatives of the parties hereto as of the day and year first above written.

Matt Kilian
CEO, Brainerd Lakes Chamber

Kelly Steele
Assistant City Administrator, City of Baxter

REQUEST FOR COUNCIL ACTION

09/05/17

Department Approval: Finance Director Vacinek  **Agenda Section:** Consent

Approval Required: Simple Majority Vote of the Council

Item Description: Approve the Renewal of the Forestview Middle School Police Liaison Contract with ISD 181 for the 2017-2018 and 2018-2019 School Years

BACKGROUND

The Forestview Middle School Police Liaison Officer Contract with ISD 181 expired at the end of the 2017 school year. A new two-year contract has been prepared to continue to provide this service for the upcoming two school years, 2017-2018 and 2018-2019. The city currently provides one hour of service per school day. No change to the structure of the officer presence or schedule at Forestview Middle School in this service is being proposed by ISD 181 or Police Chief Exsted. An adjustment for the cost of service has been made in the new contract, based upon the city's budgeted personnel costs for 2017 and 2018 and the projected 2019 costs. The renewal was approved by the ISD 181 school board at its August 14, 2017 board meeting.

FINANCIAL IMPLICATIONS

Finance analyzed the 2017 and 2018 budgeted personnel wage and benefit costs for the liaison position and the 2019 projected costs. The costs were incorporated into the contract being contemplated for renewal. With the adjustments, the contract calls for an annual payment of \$8,527 in 2018 and a 2019 payment of \$9,022. The 2018 revenue figure has been incorporated into the city's proposed 2018 Budget.

STAFF RECOMMENDATION

Police Chief Exsted and Finance Director Vacinek recommend renewing the attached two year contract for police liaison services at Forestview Middle School with ISD 181.

COUNCIL ACTIONS REQUESTED

Motion to renew the Police Liaison Officer Contract with ISD 181 for the 2017-2018 and 2018-2019 school years at Forestview Middle School.

ATTACHMENT

Police Liaison Officer Contract for the 2017-2018 and 2018-2019 School Years.

**POLICE LIAISON OFFICER CONTRACT
2017-2018 and 2018-2019 SCHOOL YEARS
BETWEEN THE CITY OF BAXTER AND ISD 181
FORESTVIEW MIDDLE SCHOOL**

THIS AGREEMENT, made and entered into this ____ day of _____, 2017, by and between the City of Baxter (hereinafter “City”) and the ISD 181 Board of Education (hereinafter “Board”) is entered into under Minnesota law.

WITNESSETH:

WHEREAS the Board wishes to have available the services of a Police Officer from the City who will act as a Liaison Officer in the Forestview Middle School (“School”) maintained by the Board; and

WHEREAS the City is willing to supply services of such Police Liaison Officer under certain terms and conditions as herein set forth;

IT IS THEREFORE STIPULATED, COVENANTED, AND AGREED by and between the parties that services provided to the Board shall be based upon City prorated hourly figures from January 1, 2017 through December 31, 2019, and an allocation formula based on 173 one hour days, averaging one (1) hour daily, during which school is in session for each of the two school years from fall 2017 through spring 2019. Said allocation formula is shown in the following table:

	2017-18 School Year	2018-19 School Year
Officer Hourly Rate (Salary & Benefits)	\$49.29	\$52.15
Hours at 1 hour per school day	173 hours	173 hours
2017-18 Annual Board Share	\$8,527	
2018-19 Annual Board Share		\$9,022

The annual payments shall be \$8,527 and \$9,022 for 2018 and 2019, respectively.

POLICE LIAISON SERVICES TO BE PROVIDED. Services include but are not limited to the following:

1. The Assigned Officer serves as the liaison between Forestview Middle School and the Baxter Police Department, promotes the development of effective communication between the School and legal authorities, and coordinates the provision of police services to the School.
2. The Liaison serves as a consultant to the Board in matters of crime prevention, law enforcement, community youth services and related matters.
3. The Liaison works with School personnel to prevent crime on campus, protect students and staff, and provides a safe and secure school environment.

4. The Liaison Officer confers with and assists deans, counselors, and other school staff concerning individuals and families in the early identification of troubled, neglected or abused youth and delinquent behavior.
5. If so directed, the Liaison Officer participates in providing advice and guidance to students and parents, and may recommend community intervention services.
6. The Liaison Officer performs other related duties as requested by the School administration. However, the immediate supervisor of the Liaison Officer is the Baxter Chief of Police, who may temporarily assign the Liaison Officer to other duties in extraordinary circumstances.

INDEMNITY PROVIDED. The City agrees to indemnify, defend and hold harmless the Board, its agents and employees harmless from any and all claims or causes of action arising from the negligent performance or nonperformance of this contract by the Police Liaison Officer. This clause shall not be construed to bar any legal remedies Board or City may have for the other's failure to fulfill its obligation pursuant to this contract.

INSURANCE PROVIDED. The City shall not commence work under this contract unless it has first obtained at its own cost and expense all insurance required herein, including but not limited to Comprehensive General Liability, Personal Injury Liability, and Workers' Compensation.

PAYMENTS SCHEDULED. For services provided and anticipated under this Agreement, the Board shall send one annual payment of \$8,527 on or before July 31, 2018 and one annual payment of \$9,022 on or before July 31, 2019 to the following address:

City of Baxter
 Attn: Finance Department
 P.O. Box 2626
 Baxter, MN 56425

TERMINATION. This contract may be terminated by either party, with or without cause, when mutually agreed upon by both parties.

IN WITNESS THEREOF, the City of Baxter has caused this Agreement to be signed and executed in its behalf by its Mayor and its Assistant City Administrator/Clerk, and the Chair of the ISD 181 School Board and Superintendent have signed and executed this Agreement, both in duplicate, the day and year first written above.

FOR THE ISD 181

By: _____
Bob Nystrom
ISD 181 Board Chair

By: _____
Laine Larson
Superintendent

FOR THE CITY OF BAXTER

By: _____
Darrel L. Olson
Mayor

By: _____
Kelly Steele
Assistant City Administrator/Clerk

REQUEST FOR COUNCIL ACTION

September 5, 2017

Department Origination: Police**Agenda Section:** Consent

Agenda Item: Approve the Use of Drug Forfeiture Funds to Purchase Ballistic Vests for Officers in the Amount of \$7,100

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The department has been researching and working towards the purchase of high powered ballistic vests for our officers for a few years now. These vests would be in addition to the vests we wear on a daily basis.

These ballistic vests would offer extreme protection in very high risk scenarios. They are a supplemental vest system that is made up of heavy duty plates capable of stopping high powered ammunition above the protection of our duty vests. They are extremely heavy and would not be feasible to wear on a daily basis.

These vests would be used only during situations that are very high risk. These opportunities will be rare but the added protection could prove lifesaving. The officers will keep the vests accessible and when the need arises they will be able to quickly throw the vest on over normal duty gear.

If approved we will be purchasing 12 vests to deploy within the department. The drug task force officer already has a similar vest that was purchased some time back.

This is an approved expenditure for the drug funds.

FINANCIAL IMPLICATIONS

A \$7,100 reduction from the Drug Forfeiture Fund. There are sufficient funds available.

STAFF RECOMMENDATION

Staff is recommending approval of the use of \$7,100 from the Drug Forfeiture Fund to cover the costs associated with the ballistic vest purchase.

COUNCIL ACTION REQUESTED

Motion to approve the transfer of \$7,100 from the Drug Forfeiture Fund to purchase ballistic vests.

REQUEST FOR COUNCIL ACTION

September 5, 2017

Department Origination: Police

Agenda Section: Consent

Agenda Item: Approve the Use of Alcohol Forfeiture Funds to Purchase Medical Supplies for Squad Medical Bags in the Amount of \$700

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The Baxter Police Department received a grant in 2016 to assist in the purchase of medical bags for the squad cars. The grant was used in conjunction with budget dollars to purchase either new bags or replace worn equipment. Each squad is now equipped with a new medical bag that is identical to all the others deployed in the squads.

We are looking to complete stocking each of these bags with identical equipment and medical supplies. We have exhausted our regular budget dollars but would like to deploy the bags soon.

Using alcohol dollars would be an approved expenditure.

FINANCIAL IMPLICATIONS

A \$700 reduction from the Alcohol Forfeiture Fund. There are sufficient funds available.

STAFF RECOMMENDATION

Staff is recommending approval of the use of \$700 from the Alcohol Forfeiture Fund to cover the costs associated with medical supplies purchased for squad med bags.

COUNCIL ACTION REQUESTED

Motion to approve the transfer of \$700 from the Alcohol Forfeiture Fund to purchase medical supplies.

REQUEST FOR COUNCIL ACTION

September 5, 2017

Department Approval: Administration

Agenda Section: Consent

Items Description: Approve Temporary Liquor License for the Brainerd American Legion Event on September 23, 2017 at the Northland Arboretum

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The Brainerd American Legion has applied for a temporary license for the on-sale of intoxicating liquor for their event on September 23, 2017 at the Northland Arboretum. State statutes and the Baxter City Code allow for the issuance of temporary liquor license for the on-sale of intoxicating liquor in connection with a social/fundraising event within the City.

FINANCIAL IMPLICATIONS

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

STAFF RECOMMENDATION


Staff recommends the issuance of the temporary on-sale liquor license as all requirements for the license have been met.

COUNCIL ACTION REQUESTED

Motion to approve the issuance of a temporary on-sale liquor license to the Brainerd American Legion for their event on September 23, 2017 at the Northland Arboretum.

REQUEST FOR COUNCIL ACTION

09/05/17

Department Approval: Finance Director Vacinek 

Agenda Section: Consent

Approval Required: Simple Majority Vote of the Council

Item Description: Adopt Resolution 2017-085 Supporting the Application to Access 2017 State Capital Budget (Bond) Funds for the Cypress Drive Project

BACKGROUND

Baxter began the process to seek capital funding (bonding) from the State of Minnesota for a portion of the 2018 Cypress Drive improvements in 2015. When completed, Cypress Drive will serve as an alternative, parallel corridor to the Trunk Highway 371 interregional corridor, increasing safety and efficiency on the state highway and will promote economic development in the industrial park for the region.

During the 2017 Minnesota Legislature's Special Session, a grant through the bonding bill awarded the city \$6 million for, *"50 percent of total project cost for the acquisition of land or interests in land, environmental analysis and environmental cleanup, predesign, design, engineering, and construction of improvements to Cypress Drive, including expansion to a four-lane divided urban roadway, between Excelsior Road and College Road"*. As part of the award process, MNDOT and MMB (Minnesota Management and Budget) state agencies require the city to identify the Cypress Drive project's funding scenario by adopting a resolution and providing documentation of eligible expenditures. Per the approved legislation, the city must supply 50% of the project's overall funding. Adoption of the attached resolution will start the process with MMB and MNDOT to access the funds.

FINANCIAL IMPLICATIONS

No out-of-pocket costs exist with adoption of the attached resolution. Adoption of the resolution demonstrating funding for the Cypress Drive project is necessary to access the \$6 million bonding funds awarded for the Cypress Drive improvements. The bonding funds comprise of approximately 42% of the project's funding sources (see attached table).

STAFF RECOMMENDATION

Finance Director Vacinek recommends adopting the attached resolution supporting the application to access the \$6 million 2017 state bonding funds awarded for the 2018 Cypress Drive improvements.

COUNCIL ACTIONS REQUESTED

Adopt Resolution 2017-085 supporting the application to access 2017 State Capital Budget (Bond) funds for the Cypress Drive project

2018-2019 Proposed Cypress Drive Improvements (CPF 4027)
 Estimated Funding Sources and Uses

PROJECT FUNDING SOURCES	Total	PROJECT FUNDING SOURCES												
		Special Assessments	General Fund	Sales Tax	Water Fund	Sewer Fund	Fed/State Funding ^(a)	MN Bonding Grant	Collector Street Fund	MSA	Tax Increment			
Prior Funding	1,437,467	-	815,531	-	117,300	-	-	-	-	-	-	-	-	-
Anticipated Funding	12,884,835	1,954,830	-	337,700	-	127,548	1,935,898	6,000,000	1,067,359	1,300,000	-	-	-	-
Cypress Drive Project	\$ 14,322,302	\$ 1,954,830	\$ 815,531	\$ 337,700	\$ 117,300	\$ 127,548	\$ 1,935,898	\$ 6,000,000	\$ 1,067,359	\$ 1,300,000	\$ 1,300,000	\$ 666,136	9.1%	4.7%
	100.0%	13.6%	5.7%	2.4%	0.8%	0.9%	13.5%	41.9%	7.5%	9.1%	9.1%	4.7%		

PROJECT FUNDING USES	Total	PROJECT FUNDING USES		
		Streets	Trail	Water Sewer Storm
Cypress Drive Project	\$ 14,322,302	\$ 10,927,916	\$ 395,634	\$ 227,548
	100.0%	76.3%	2.8%	16.9%

^(a) Federal/State Funding comprised of: \$1,000,000 Trunk Highway Funds and \$935,898 Federal Aid Funds (version 3 SEH F/S)

2018-2019 Cypress Drive Project: Cypress Drive from Excelsior Road to College Road, Excelsior/Cypress Roundabout, College/Cypress Roundabout, TH210/Cypress Signal Light, Cypress Drive Railroad Crossing, Golf Course Drive/TH 210 Intersection, and Cypress Drive Intersection Improvements at Excelsior Road, Industrial Park Road, and College Road.

Of the estimated \$14.3 million project, the portion assessed to benefitting properties is approximately 13.6%. The remaining 86.4% of the improvements, or \$12.4 million, is proposed to be paid by the city through various funding sources. Utilizing funding sources on hand and available federal/state resources, the city will finance the special assessment component of the project (100%) through the issuance of General Obligation Improvement bonds in 2018.

Prepared by City of Baxter Department of Finance 06.09.17, Revised 06.16.17

EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF
BAXTER, MINNESOTA

HELD: September 5, 2017

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Baxter, Minnesota, was duly called and held at the Baxter City Hall in said City on the 5th day of September, 2017 at 7:00 o'clock p.m.

The following members were present: _____ and the following were absent: _____.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2017-084

**RESOLUTION SUPPORTING THE APPLICATION TO ACCESS 2017 STATE
CAPITAL BUDGET (BOND) FUNDS FOR THE CYPRESS DRIVE PROJECT,
CAPITAL PROJECT FUND 4027**

WHEREAS, \$6,000,000 in State GO Bond funds are available to the City of Baxter under the Local Road Improvement Fund Grants approved by Laws 2017, Chapter 8, Article 1, Section 15, Subdivision 3(1) to fund 50 percent of the total project cost for the acquisition of land or interests in land, environmental analysis and environmental cleanup, predesign, design, engineering, and construction of improvements to Cypress Drive ("Project").

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Baxter ("City") as follows:

1. The City will utilize the \$6,000,000 State GO Bond funds for construction, engineering, and other eligible expenditures necessary to construct the Project.
2. The City will commit Municipal State Aid Street funds, Federal Aid funds, Trunk Highway funds, and/or other sources of funds as may be identified to provide 50% funding of the Project's \$14,322,302 total estimated cost (of which \$582,547.68 is not eligible to be paid from Local Road Improvement Fund Grants) and to ensure that total project funding is available to complete the Project. Estimated current project funding sources to be committed for the 50% requirement are as follows:

City Water and Sewer Enterprise Funds (for non-eligible costs)	\$244,848
Federal Aid Funds	\$935,898
Trunk Highway Funds	\$1,000,000
City General and Capital Project Funds	\$1,882,890
Special Assessments	\$1,954,830
City Local Option Sales Tax Proceeds	\$337,700
Municipal State Aid Street Funds	\$1,300,000
City Tax Increment Financing Proceeds	\$666,136
Total Proposed Bonding Funding Sources	\$8,322,302

3. The Mayor and City Clerk are authorized to execute agreements and amendments to agreements with the State of Minnesota necessary to access the State funds.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon a vote being taken thereon, the following voted in favor thereof: _____

and the following voted against the same: _____.

WHEREUPON, said resolution was declared duly passed and adopted on this 5th day of September 2017.

STATE OF MINNESOTA)
COUNTY OF CROW WING) ss
CITY OF BAXTER)

I, the undersigned, being the duly qualified and acting Clerk of the City of Baxter, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original minutes thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council duly called and held on the date therein indicated, insofar as such minutes of a meeting of the City Council of said City duly called and held on the date therein indicated insofar as such minutes relate to supporting the application to access state bonding funds for the Cypress Drive project, in said City.

WITNESS my hand as such Clerk of said City this 5th day of September, 2017.

Kelly Steele
Assistant City Administrator/City Clerk

REQUEST FOR COUNCIL ACTION

09.05.017

Department Origination:
Public Works Department

Agenda Section:
Consent

Agenda Item: Adopt Resolution 2017-085 Requesting Municipal State Aid Street Funds Advance

Approval Required: Simple Majority Vote of the Council

BACKGROUND

Municipal State Aid Street (MSAS) Funds are one of the planned funding sources for both the 2018 Cypress Drive and 2018 Excelsior Road projects. Funded through gas taxes, a portion of the State's MSAS Fund revenues are allocated annually into the City of Baxter's State Aid Construction Account. MnDOT offers a process to advance (aka take an interest free loan) of up to 3 years of a City's annual allocation. To help with project cash flow and reduce borrowing costs until other planned project funding sources (State Bonding, Trunk Highway, Federal Aid) can be accessed, the City Finance Director is recommending seeking a MSAS Funds Advance now. Adopting the attached resolution will start the process to access the funds. As stated in the resolution, MSAS Fund advances are not guaranteed, rather are released on a first-come-first-serve basis.

FINANCIAL IMPLICATIONS

MSAS Funds are a planned source of funding for 2018 Cypress Drive and 2018 Excelsior Road projects.

STAFF RECOMMENDATION

Staff recommends adopting the attached Resolution Requesting Municipal State Aid Street Funds Advance.


COUNCIL ACTION REQUESTED

MOTION to approve Resolution 2017-085 Requesting Municipal State Aid Street Funds Advance.

ATTACHED Resolution 2017-085 Requesting Municipal State Aid Street Funds Advance

REQUEST FOR COUNCIL ACTION

09/05/17

Department Approval: Finance Director Vacinek 

Agenda Section: Consent

Approval Required: Simple Majority Vote of the Council

Item Description: Adopt Resolution 2017-085 Supporting the Application to Access 2017 State Capital Budget (Bond) Funds for the Cypress Drive Project

BACKGROUND

Baxter began the process to seek capital funding (bonding) from the State of Minnesota for a portion of the 2018 Cypress Drive improvements in 2015. When completed, Cypress Drive will serve as an alternative, parallel corridor to the Trunk Highway 371 interregional corridor, increasing safety and efficiency on the state highway and will promote economic development in the industrial park for the region.

During the 2017 Minnesota Legislature's Special Session, a grant through the bonding bill awarded the city \$6 million for, *"50 percent of total project cost for the acquisition of land or interests in land, environmental analysis and environmental cleanup, predesign, design, engineering, and construction of improvements to Cypress Drive, including expansion to a four-lane divided urban roadway, between Excelsior Road and College Road"*. As part of the award process, MNDOT and MMB (Minnesota Management and Budget) state agencies require the city to identify the Cypress Drive project's funding scenario by adopting a resolution and providing documentation of eligible expenditures. Per the approved legislation, the city must supply 50% of the project's overall funding. Adoption of the attached resolution will start the process with MMB and MNDOT to access the funds.

FINANCIAL IMPLICATIONS

No out-of-pocket costs exist with adoption of the attached resolution. Adoption of the resolution demonstrating funding for the Cypress Drive project is necessary to access the \$6 million bonding funds awarded for the Cypress Drive improvements. The bonding funds comprise of approximately 42% of the project's funding sources (see attached table).

STAFF RECOMMENDATION

Finance Director Vacinek recommends adopting the attached resolution supporting the application to access the \$6 million 2017 state bonding funds awarded for the 2018 Cypress Drive improvements.

COUNCIL ACTIONS REQUESTED

Adopt Resolution 2017-085 supporting the application to access 2017 State Capital Budget (Bond) funds for the Cypress Drive project

2018-2019 Proposed Cypress Drive Improvements (CPF 4027)
 Estimated Funding Sources and Uses

PROJECT FUNDING SOURCES	PROJECT FUNDING SOURCES										
	Total	Special Assessments	General Fund	Sales Tax	Water Fund	Sewer Fund	Fed/State Funding ^(a)	MN Bonding Grant	Collector Street Fund	MSA	Tax Increment
Prior Funding	1,437,467	-	815,531	-	117,300	-	-	-	-	-	504,636
Anticipated Funding	12,884,835	1,954,830	-	337,700	-	127,548	1,935,898	6,000,000	1,067,359	1,300,000	161,500
Cypress Drive Project	\$ 14,322,302	\$ 1,954,830	\$ 815,531	\$ 337,700	\$ 117,300	\$ 127,548	\$ 1,935,898	\$ 6,000,000	\$ 1,067,359	\$ 1,300,000	\$ 666,136
	100.0%	13.6%	5.7%	2.4%	0.8%	0.9%	13.5%	41.9%	7.5%	9.1%	4.7%

PROJECT FUNDING USES	PROJECT FUNDING USES					
	Total	Streets	Trail	Water	Sewer	Storm
Cypress Drive Project	\$ 14,322,302	\$ 10,927,916	\$ 395,634	\$ 355,000	\$ 227,548	\$ 2,416,204
	100.0%	76.3%	2.8%	2.5%	1.6%	16.9%

^(a) Federal/State Funding comprised of: \$1,000,000 Trunk Highway Funds and \$935,898 Federal Aid Funds (version 3 SEH F/S)

2018-2019 Cypress Drive Project: Cypress Drive from Excelsior Road to College Road, Excelsior/Cypress Roundabout, College/Cypress Roundabout, TH210/Cypress Signal Light, Cypress Drive Railroad Crossing, Golf Course Drive/TH 210 Intersection, and Cypress Drive Intersection Improvements at Excelsior Road, Industrial Park Road, and College Road.

Of the estimated \$14.3 million project, the portion assessed to benefitting properties is approximately 13.6%. The remaining 86.4% of the improvements, or \$12.4 million, is proposed to be paid by the city through various funding sources. Utilizing funding sources on hand and available federal/state resources, the city will finance the special assessment component of the project (100%) through the issuance of General Obligation Improvement bonds in 2018.

Prepared by City of Baxter Department of Finance 06.09.17, Revised 06.16.17

**CITY OF BAXTER MINNESOTA
RESOLUTION 2017-085**

RESOLUTION REQUESTING MUNICIPAL STATE AID STREET FUNDS ADVANCE

WHEREAS, the City of Baxter (“Municipality”) is planning to implement Municipal State Aid Street Project(s) in 2018 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said Municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date August 23, 2017	\$914,917.12
Less estimated disbursements:	
Project # S.P. 230-113-004	\$1,300,000.00
Project # S.A.P. 230-160-003	\$800,000.00
Total Estimated Disbursements	\$2,100,000.00
Advance Amount (amount in excess of acct balance)	\$1,185,082.88

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BAXTER, MINNESOTA:

That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the City of Baxter in an amount up to \$1,185,082.88. The Municipality hereby authorizes repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Whereupon, said Resolution is hereby declared adopted on this 5th day of September, 2017.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

CEMETERY COMMISSION MEETING
August 21, 2017

The regular meeting of the Baxter Cemetery Commission Meeting was called to order at 4:00 p.m. by Chair Jeanette Ruff.

MEMBERS PRESENT: Bob Bradford, John Cremers, Bob Ehrich, Chair Jeanette Ruff and Council Liaison Darrel Olson.

MEMBERS ABSENT: Commissioner Jean Collins.

STAFF PRESENT: Administrative Assistant Mary Haugen.

APPROVAL OF MINUTES

MOTION by Commissioner Cremers, seconded by Commissioner Ehrich to approve the Cemetery Commission minutes of June 19, 2017. Motion carried unanimously.

UNCLAIMED CREMATION BURIAL REQUEST

The commission reviewed the request from Rhonda Marek at Brenny Funeral Home for burial of approximately 40 unclaimed cremated remains. Ms. Marek stated the remains have been housed for almost 10 years and either have no family or have no family members willing to take ownership of the remains. Ms. Marek the plan is to use a sealed casket sized vault to hold the remains.

Staff upon research has learned that this is a growing problem throughout the states with some larger funeral homes having 2,000 – 3,000 unclaimed cremains. Minnesota State Statues 149A.95 §Subd. 19 does allow funeral establishments to dispose of the cremains after 120 calendar days following the mailing of the written notification, the crematory or funeral establishment may dispose of the cremated remains in any lawful manner deemed appropriate.

The commission inquired if there have been any other requests of this nature. Ms. Haugen stated that is the first request that has been submitted and this would set precedence should the commission recommend approval.

Ms. Haugen has reviewed the cemetery for a location that has low volume sales and recommends Block 27, Lot 4, Graves 1 – 8 could be set aside for this purpose should the commission so choose.

The commission held an extensive discussion on residency requirements, internal tracking of the remains and marking of the site. Commissioner Ehrich stated there needs to be a respectful and dignified burial space for the remains.

MOTION by Commissioner Bradford, seconded by Commissioner Ehrich to recommend City Council approve the Breeny Funeral Home request for burial of 40 unclaimed remains in the Baxter City Cemetery based on the following findings of fact:

1. All requests must be submitted in written from to the Cemetery Commission.

2. Cremations must fit in a sealed casket sized vault containing a minimum of 40 remains, which must contain a majority of Baxter residents and/or have no family members will to take ownership.
 3. The City of Baxter will provide a dedicated site for unclaimed remains which will allow for a respectful and dignified burial.
 4. All burial information must be submitted to the City for identification purposes.
 5. The funeral home will assume the responsibility of the vault and opening and closing fees.
 6. It is the responsibility of the funeral home to provide a marker for the cremated remains.
- Motion carried unanimously.

2018 BUDGET DISCUSSION

Quotes have been submitted to the Finance Department for tree work and new limestone caps for the cemetery monument for the 2018 Budget.

SEPTEMBER MEETING

The next commission meeting was scheduled for September 18, 2017 at 4:00 p.m.

ADJOURN

MOTION by Commissioner Cremers, seconded by Commissioner Ehrich to adjourn the meeting at 4:45 p.m. Motion carried unanimously.

Approved by:

Submitted by,

Jeanette Ruff
Chair

Mary Haugen
Administrative Assistant

REQUEST FOR COUNCIL ACTION

09.05.2017

Department Origination:
Public Works Administration

Agenda Section:
Consent

Agenda Item: Approve burial of unclaimed cremated remains in the Baxter City Cemetery based on findings of fact.

Approval Required: Simple Majority Vote of the Council

BACKGROUND

Staff has received a request from Brenny Funeral Home regarding 40 sets of unclaimed cremated remains. These remains have no family members willing to take ownership of the remains. Ms. Mareck has inquired if the City of Baxter would be willing to allow placement of the cremains in a single gravesite.

Minnesota State Statues 149A.95 §Subd. 19 does allow funeral establishments to dispose of the cremains after 120 calendar days following the mailing of the written notification, the crematory or funeral establishment may dispose of the cremated remains in any lawful manner deemed appropriate.

The cremains currently housed at Brenny Funeral Home have been there for many years. Staff upon research has learned that this is a growing problem throughout the states with some larger funeral homes having 2,000 – 3,000 unclaimed cremains.

Staff has reviewed the cemetery for a location that has low volume sales and is not visually appealing and recommends that Block 27, Lot 4, Graves 1 – 8 be set aside for this purpose.

Staff is aware that this will be setting precedence should the commission approve the burial of unclaimed remains. Conditions of the approval would require the following findings of fact:

1. All requests must be submitted in written from to the Cemetery Commission.
2. Cremations must fit in a sealed casket sized vault containing a minimum of 40 remains, which must contain a majority of Baxter residents and/or have no family members will to take ownership.
3. The City of Baxter will provide a dedicated site for unclaimed remains which will allow for a respectful and dignified burial.
4. All burial information must be submitted to the City for identification purposes.

5. The funeral home will assume the responsibility of the vault and opening and closing fees.
6. It is the responsibility of the funeral home to provide a marker for the cremated remains.

FINANCIAL IMPLICATIONS

No fees would be collected for the grave site of unclaimed remains; however, this would provide a location for a respectful and dignified burial of the cremains. The funeral home will assume the responsibility of the vault and opening and closing fees.

STAFF RECOMMENDATION

Staff recommends approval of burial of the unclaimed cremated remains in the Baxter City Cemetery based on findings of fact.

COUNCIL ACTION REQUESTED

MOTION to approve burial of the unclaimed cremated remains in the Baxter City Cemetery based on findings of fact.

Attached: Brenny Funeral Home Request

Mary Haugen

From: Rhonda Mareck <rhonda@brenny.com>
Sent: Wednesday, August 09, 2017 10:32 AM
To: Mary Haugen
Subject: Unclaimed Cremated Remains

Good Morning Mary -

The Brenny Funeral Chapel is in possession of about 40 sets of unclaimed cremated remains. These are a mixture of Baxter Residents, Miscarried or Unborn Children, and others that have no family willing to take ownership of these remains.

We are hoping to put these remains to rest in a cemetery plot. Our plan would be to use a sealed vault (casket sized) to hold these remains. I'm not sure if we would mark the gravesite or how to mark the site? That will require more thought.

Would you be willing to share this request with the board? Thank you!

--

Rhonda Mareck
Director of Operations
Brenny Funeral Chapels
PO Box 623
Brainerd, MN 56401
218.828.5051 - office
218.820.4373 - mobile
rhonda@brenny.com
www.brenny.com

*Please note I am in the office Monday - Friday from 9-4 PM...
if your request requires immediate attention, please call, 800.824.5051.*

REQUEST FOR COUNCIL ACTION

September 5th, 2017

Department Origination: IT

Agenda Section: Consent

Agenda Item: Authorize Staff to Execute the WSB ArcGIS Enterprise Consulting Services Proposal

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

With the implementation of new server infrastructure this fall, it is an opportune time to evaluate current configurations before completing setup of the new systems. While staff typically performs all setup and configuration, it is deemed worthwhile to have an outside subject expert review the proposed system architecture to ensure best practices are being used for security, performance, etc.

This GIS consulting services proposal from WSB, simply defines the hourly rates of staff who would be available to provide assistance, at \$113 and \$143 per hour. Any work performed will only occur upon approval by the GIS/IT Director, which is anticipated to be 8-12 hours of work.

FINANCIAL IMPLICATIONS

IT/GIS consulting is identified and included in the adopted 2017 budget.

STAFF RECOMMENDATIONS

Staff recommends approving the WSB proposal

COUNCIL ACTION REQUESTED

Authorize Staff to Execute the WSB ArcGIS Enterprise Consulting Services Proposal

REQUEST FOR COUNCIL ACTION

September 5, 2017

Department Origination: Police Department &
Community Development

Agenda Section: Consent

Agenda Item: Approve Amendment to the City's Hunting Map to allow Site Area 1 as an Archery Only Zone

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The City of Baxter is requesting amendments to the City's Hunting Map. Specifically, the City of Baxter has hunting regulations and a Hunting Map that indicates where certain types of hunting is allowed and where hunting is not allowed. As changes occur within the City, the Hunting Map should be re-evaluated to see if changes need to be made to the map.

Hunting Zones

The City's Hunting Map (attached) delineates every property in the City into one of four zones as follows:

- No Hunting
- Archery Only Zone
- Shotgun & Archery Only Zone
- Muzzleloader / Shotgun & Archery Zone

The majority of the City is located in the No Hunting zone. Properties that are permitted for hunting are generally larger properties or properties that are in rural areas of the City. To help manage deer numbers within Baxter, the City has allowed larger properties adjacent to residential areas in the Archery Only Zone. Shotgun and Archery is allowed only when property for hunting is at least 500 feet from dwelling or occupied building. The Muzzleloader / Shotgun & Archery zone has been applied only to the southwest portion of the City, away from the developed area of the City.

The following areas are up for consideration to change them from a current zoning to possibly a new and more appropriate zoning based on staff recommendations or suggestions or requests from the citizens.

Site Area One

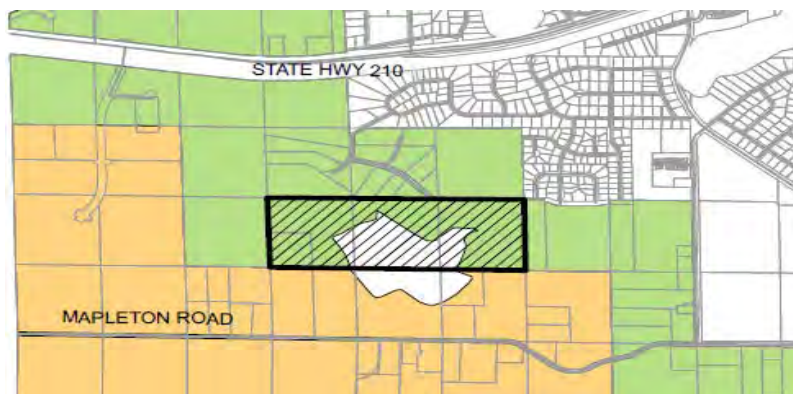


Site Area One is located in the northwest part of Baxter. It is the gray area above which consists of about 28 acres. The owner of the property is listed as Tan Investments Inc. out of Brainerd.

City staff is proposing to update the hunting map to allow bow hunting on this section of property to be consistent with the adjacent properties. The property appears to be entirely wooded or marsh land.

Staff is supportive of adding this property to the Archery Only areas within the City of Baxter. Staff has no knowledge or documentation of a specific request for this property to be excluded from the bow hunting zone.

Site Area Two



Site Area Two is located north of the Mapleton Rd and southwest of the Southdale residential area in Baxter. The 120 encompasses the north side of a small body of water. This area was recently proposed as a Wildlife Management Area to the DNR but at this time it will not be included as such by the DNR.

Staff is proposing the hunting map change to reflect this area as Shotgun and Archery Only area. There has been a request for this change from a property owner to the north. The south side of the wetland is already zoned Shotgun and Archery so this would be consistent with that area.

Staff is supportive of making this change to the map.

Site Area Three

Site Area Three (to the right) is located on Land Owned by Crow Wing County. Crow Wing County has a long term lease with Camp Vanasek. Last year, the City amended the hunting map for no hunting on the property based on a letter the City received from Camp Vanasek, which requested a no hunting designation for the entire 88 acres. Staff notes that Crow Wing County has requested that this entire 88 acres go back to a bow hunting designation as it was previous last year. Crow Wing County staff indicated that they have been in contact with Camp Vanasek about the requested change. Staff recommended the change to no hunting last year because the letter indicated that there is a children's camp site on the property. The County has indicated that they would like to see their property be changed back to a bow hunting property.



Last year, staff indicated that if Crow Wing County states that they would like hunting on the property, the City would need to re-evaluate the matter. City staff is in support of bow hunting on this property provided that public safety has been considered.

Site Area Four



Site Area Four is an approximately 160 section of property which lies west of Evergreen Drive and north of Highland Scenic Road. The area is currently zoned Archery Only but staff has received an informal request to change it to Shotgun and Archery Only.

While almost completely undeveloped the section of land is surrounded by roadways, including Hwy 371, that can be consistently busy with traffic. The specific request to allow shotgun was for the purpose of turkey hunting. While this type of hunting would work on this property staff is not certain that shotgun hunting for deer on this tract of land would be appropriate. The tract is

large enough to support it but staff's concerns lie with its proximity to the busy roadways. Our ordinance does not differentiate what can be hunted with the shotgun.

Staff would be supportive of a change to Shotgun and Archery Only if the hunting was only for game other than deer. To address that would require a change to the ordinance rules and could possibly complicate matters in other areas if we start to specifically identify what game can be taken with a shotgun in certain areas.

While changing this to a Shotgun zone would potentially help in the overall management of deer staff is not supportive of this change in this area due to the potential dangers present with traffic on adjacent roadways. Staff is also reluctant to start to manage specific game to be harvested in certain zones. Staff would recommend leaving this zone as is.

Site Area Five



Site area five is the City of Baxter property adjacent to the public works facility. The area is approximately 100 acres of wooded land which lies north of Mapleton Rd.

While staff has received no formal requests to change this zone from No Hunting it is generally asked about many times during the hunting season.

This is a significant tract of land and could easily support Archery Only. The reluctance in years past has been due to the fact that it is owned by the city and how would the hunting be regulated.

Staff has no specific answers as to how to manage the area should hunting be allowed. But due to the significant size and the overall goal of the city in working towards better management of the deer population we should at least discuss this property.

Staff is coming with no specific recommendations at this time.

Hunting Ordinance

5-1-4: HUNTING REGULATIONS AND THE DISCHARGE OF FIREARMS:

A. Statute Authority: This section is passed pursuant to the general authority granted to statutory cities to regulate the health, safety and general welfare, as well as nuisances, under Minnesota statutes section 412.221, and in addition more specifically under Minnesota statutes section 471.633 whereby the state legislature has authorized municipalities to regulate the discharge of firearms.

B. Definitions: As used in this section:

ARROW: A slender shaft, pointed at one end, or designed to have a pointed head or tip attached, and feathered at the other end.

BOW: A flexible, curved strip of wood, metal, fiberglass, plastic, or other material, with a cord connecting the two (2) ends, designed to shoot arrows. This definition includes a device popularly known as a crossbow.

FIREARM: All rifles, shotguns, handguns, and firearms using smokeless or black powder.

C. Discharge Prohibited:

1. It shall be unlawful for any person to discharge a rifle or handgun within the city limits.
2. It shall be unlawful for any person to discharge any firearm except in conformance with state and federal statutes and as outlined in subsection E of this section.
3. Any discharge of firearms or hunting within five hundred feet (500') of a dwelling or occupied building is not allowed.

D. Exception: This section shall not apply to police officers or authorized law enforcement officers or personnel when using firearms in the course of performance of their duties.

E. Lawful Use: This subsection defines lawful use of firearms in the city. Required permits shall be issued by the chief of police or the chief's designee.

1. Nuisance Permits: Use of a .22 caliber rimfire rifle by permit to exterminate small nuisance animals in an otherwise legal manner for a period not to exceed thirty (30) days. Such permits will be issued for only one individual for such use on their own property, and only to persons at least eighteen (18) years of age. Users must follow all applicable state laws.

2. Big Game: Use of a shotgun, muzzle loading long gun or legal handgun for hunting of big game is allowed in areas designated by the city council and in conformance with hunting seasons and regulations set by the Minnesota department of natural resources. Permits are issued on an individual basis only to holders of a valid big game hunting license, and only for a period that the license is valid. The applicant must indicate the area where such hunting activities will occur.

3. Target Practice: It shall be unlawful to use a rifle or handgun for target practice within the city of Baxter. However, use of a firearm for target practice is allowed only in areas designated by the city council and shall require a permit. Discharge of a rifle or pistol for such purposes is illegal in the city. Participants or permit holders shall be at least eighteen (18) years of age and own the property on which such activities will take place or have written permission on their person from the property owner. Minor children may participate in target practice activities, provided that the guardian or parent is present and directing such use. Such minor child shall have completed Minnesota department of natural resources gun training and hold a valid certificate. Required permits shall be issued on an individual basis only. The permit must indicate the place of such activity, usage days and hours. Firearms used for target practice may be discharged during the time period from nine o'clock (9:00) A.M. to legal sunset.

4. Small Game: Use of a shotgun and shot for hunting small game is allowed in areas designated by the city council. All usage shall be in conformance with hunting seasons and regulations set by the Minnesota department of natural resources.

F. Archery Hunting: Use of a bow and arrow for hunting is allowed in the city in areas designated by the city council. All archery hunting shall be in conformance with hunting seasons and regulations set by the Minnesota department of natural resources. Target practice using a bow and arrow is allowed on your own property or on private property with written permission from the owner. Permission must be on their person at the time the activity is occurring. All target practice activity must be conducted in a safe manner so as not to endanger or risk injury to others.

G. Penalty: Violation of any provision of this section or usage of firearms in violation of Minnesota statutes or Minnesota department of natural resources regulations/rules shall result in revocation of any permit and forfeiture of issuance of future permits for a five (5) year period. Any person violating any provision of this section is guilty of a misdemeanor. (Ord. 2009-14, 8-6-2009)

FINANCIAL IMPLICATIONS

There are no financial implications with this item.

RECOMMENDATION

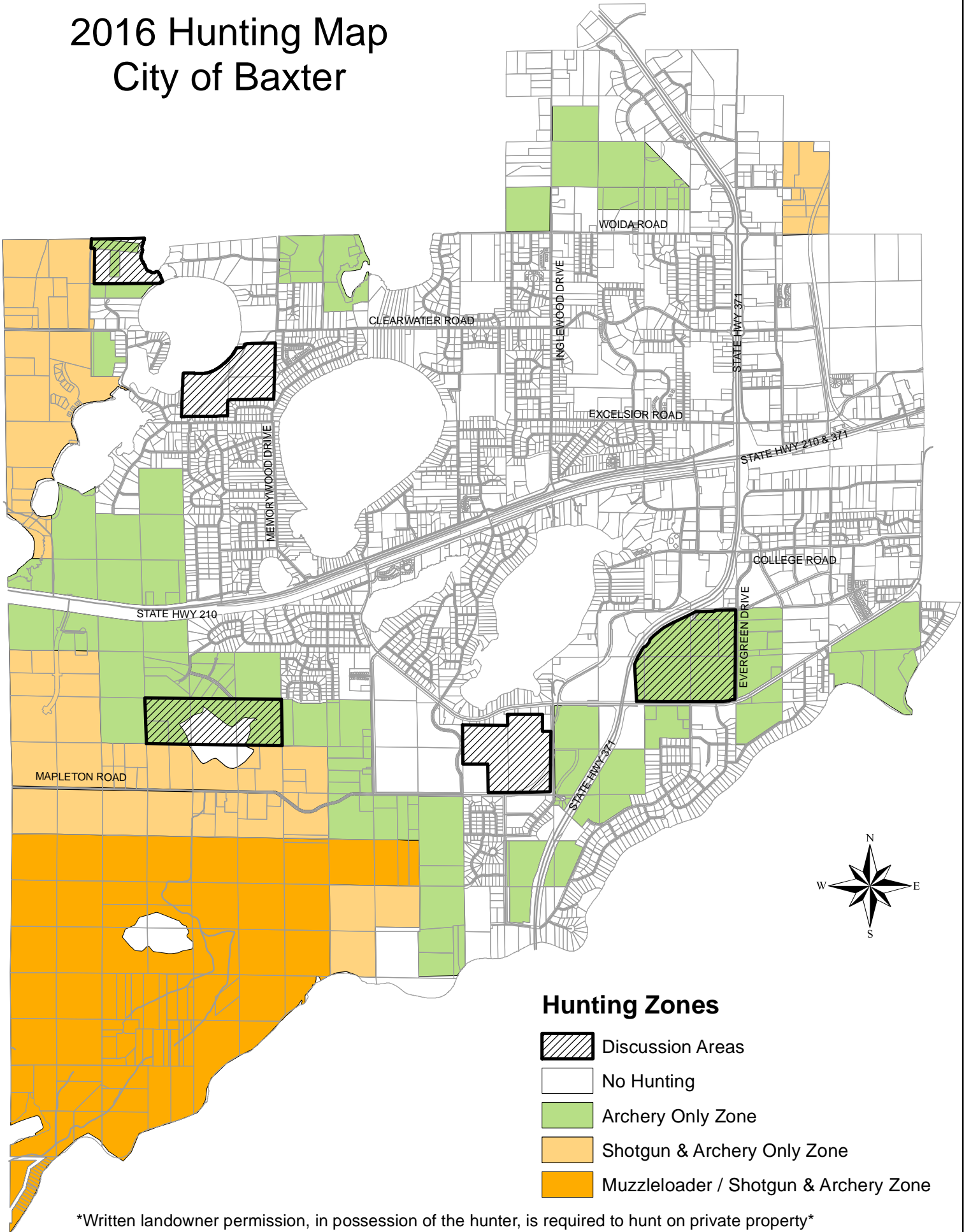
The Long Range Planning Commission recommends approval of amending the Hunting Map to allow Site Area 1 to be an Archery Only hunting area.

COUNCIL ACTION REQUESTED






Move to Approve an amendment to the City's Hunting Map to allow Site Area 1 as an Archery Only zone.

Attachment: Inspection Services Contract

2016 Hunting Map City of Baxter



Hunting Zones

-  Discussion Areas
-  No Hunting
-  Archery Only Zone
-  Shotgun & Archery Only Zone
-  Muzzleloader / Shotgun & Archery Zone

Written landowner permission, in possession of the hunter, is required to hunt on private property

PARKS & TRAILS COMMISSION MINUTES
August 28, 2017

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

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

MEMBERS ABSENT: None

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

OTHERS PRESENT: Jim Boos

Approval of the Minutes

MOTION by Commissioner Holderness, seconded by Commissioner Pennington regular meeting minutes of July 24, 2017. Motion carried unanimously.

Mississippi River Kayak/Canoe Event Update-Josh Pennington

Commissioner Pennington stated that CD Director Doty had asked him to give an update on the event. Commissioner Pennington explained where the event took place and that about 70 boats and roughly 100 people attended. He spoke to several people and one couple eating lunch on a sand bar across from Mississippi Overlook Park did not know there was a park across from them due to the lack of signage. He suggested that having signage along the river for both parks would promote more awareness of these parks. Planner Gindele agreed that additional signage facing the river could assist in usage at these parks. He mentioned the signage at Riverwood Park that says "No Boat Access" and that it could discourage kayaks and canoes from using the launch. Acting Chair Barrick asked if the verbiage could be changed to say "Kayak and Canoe Launch" or "No Motorized Boats". Commissioner Pennington stated that the sign should also be moved to the beginning of the park. Acting Chair Barrick asked if staff could price out some signage for these two parks being it was a smaller project. Commissioner Holderness asked how many signs should be placed in each park. It was decided that one sign at each location would work if it was big enough and the sign would indicate that the location is a city park.

Parks CIP and Action Plan

Planner Gindele stated that the Commission has reviewed this several times in the past. There were not a lot of changes, however there are a few. One was the Jewelwood Park to Clearwater Rd. trail project was pushed back a year to 2020. The other item was the Whipple Beach Perimeter Trail from 2020 to 2021. Planner Gindele reviewed the remaining CIP with the Commission and then explained the action plan in the packet. He walked the Commission through the different DNR trails grant funding possibilities for the 2019-2022 years. Planner Gindele explained the grant funding process, when it starts and that it can take up to 2 years to receive funding once a grant is approved.

Planner Gindele talked about the 2019 park resurfacing that needs to be completed. He stated that Alex Hondl had put a memo in the packet regarding this topic including staff suggestions and pricing.

Planner Gindele asked if the Commission had any questions for staff. Commissioner Jones asked what a TAP grant is; Planner Gindele gave the description and history on the Oakwood Dr. trail, explaining the difference between transportation and recreational trails.

Acting Chair Barrick stated that the 2019 Paris/Forestview Community Entrance/Parking has been discussed at the Council level by Councilman Holman regarding timing of the project as it relates to the relocation of the

Paul Bunyan Trail. She further asked if staff has had time to research the cost of the dog park on Clearwater Rd. The 2022 Safe Routes to School may need to be looked at differently now that there is talk of a new elementary school. CD Director Doty stated that Acting Chair Barrick had made a very good point about the relocation of the Paul Bunyan trail. He stated that the Paris cul-de-sac is getting used as a parking lot and the expense of this project could be significant.

CD Director Doty addressed the dog park and that staff had looked into the complaints of barking dogs throughout the community. Staff searched barking dog complaints submitted to the police department from 2007-2017 and found that the complaints listed the street the complaint was on, but not the distance from the barking dog. CD Director Doty stated he is going to speak to the police department to see if there is a better way to track the complaints in the future.

Council Liaison Nystrom asked that the linear park on Isle Drive be added to the potential park list. CD Director Doty stated that very recently this item was brought up to staff again. CD Director Doty asked Acting Chair Barrick if the Commission wanted to allow Mr. Boos to speak on this item. Mr. Boos indicated from the audience that he was only at the meeting to listen to the Commission and gain knowledge of the process. CD Director Doty stated that he has no issue placing the linear park on the list; however, the Council purchased this property as EDA property for development. He stated that staff was made aware when the trees were being cleaned up, that the residents want a buffer between them and any additional development. CD Director Doty was asked for the location of the property. The Commission reviewed the location, the shoreland overlay district, impervious surface, where the residents live and how much the City owns. Council Liaison Nystrom asked to see the wetlands on the property. CD Director Doty showed the location of the wetlands on the GIS overlay. Council Liaison Nystrom indicated that the neighbors/land owners have been asking for at least two years for a buffer or linear park to be placed behind them prior to a development going on the property. Commissioner Pennington stated that it was probably more of a Council decision than a Parks Department decision. CD Director Doty stated that there are two different ways to look at this: No.1-as a park this Commission would be involved. No. 2-a buffer can be created within a development. The city could sell the property and require the development to create a buffer.

Commissioner Jones asked if the items on the CIP could be moved around, CD Director Doty stated yes, items can move around. Commissioner Jones brought up the cost of a couple of project totaling \$300,000.00 not being as important as the Oakwood trail where people are walking on the shoulder of a 40 mph street when Clearwater Rd. has a paved trail along side of the road. He felt that safety should take precedence over basketball or tennis courts. CD Director Doty stated that the Council gave staff the approval to apply for the TAP grant, being they saw the same amount of usage. He stated maybe this year staff should apply for a DNR trail grant, that may move the project up on the list. Another possibility is paying for the trail without grant funding. CD Director Doty informed the new Commissioner's the background on Camp Vanasek not giving support for the trail grant. Commissioner Pennington stated that he had heard the Camp was hurried to make a decision and they had concern over the septic takes. CD Director Doty stated that there were approximately three meetings over a number of months. He added that Camp did state at the first meeting that they were not in favor of a trail. However, the following meetings were to try to modify the city's trail plans to meet Camp's concerns including the septic tanks. Staff put the trail on the other side of the street with a crossing further north to address the Camp's concerns. That was favorable with the Camp being it was close to their septic system and low ropes course. The City believed they addressed Camps specific location concerns. However, to date, Camp has elected not to provide the City with a letter of support.

CD Director Doty stated staff is willing to contact the Camp again to see if anything has changed. CD Director Doty asked the Commission if the Oakwood trail should be moved up from 2022. Acting Chair Barrick asked if the Commissioners could meet with the board while staff moves forward with a grant application. CD Director Doty stated the Commissioners are welcome to volunteer to hold a meeting to see if moving forward is a

possibility. Commissioner Jones stated that Oakwood is a busy road and needs a trail.

Commissioner Holderness asked if the playground equipment was going to be coming out of the park dedication fund. CD Director Doty stated he would need to ask if it is considered park maintenance or new equipment which could trigger park dedication funds.

Memorywood Drive Park Donation Update

CD Director Doty stated that the Commission had previously discussed a land donation of real property on Mile Lake just across the street from City Hall and the Commission agreed to accept the donation of land, City Council approved the donation and was working with the owner of the land. Through several discussions, it was determined that it would not be a clean, straight forward donation. The owner wanted to have the City purchase the land and then gift the monies back to the City. There was concern that the payment would not be returned, therefore the donation fell short. He stated the land is now up for sale and the owner may give a cash donation from the proceeds to the City.

Park Maintenance Update

Memo: CD Director Doty reviewed the memo from parks maintenance staff, showing progress on projects and projects that have been completed.

Park Pavilion Picnic Tables: CD Director Doty stated that parks staff has noticed that people are dragging the picnic tables out from under the pavilion, into the grass and not always putting them back when they are done using them. Parks staff suggested bolting down the tables under the pavilion, the concern is losing that flexibility of rearranging the tables. Staff was asked to bring this issue forward to see if the Commission has any recommendations. Commissioner Holderness suggested putting some signs up indicating the picnic table should not be removed for the pavilion. Commissioner Pennington suggested having it tracked to see how often this is occurring. CD Director Doty stated that staff has also thought that maybe additional picnic tables are needed in a particular area.

Other Business

Commissioner Pennington stated that he was glad to see the woodchip verses rubber pellets. CD Director Doty stated that the reason the woodchips are spread over a few years is to allow staff the ability to do the work, being the City has the equipment. This would be a savings to the city.

The next scheduled meeting is September 25, 2017 at 4:00 pm.

Adjournment

MOTION by Commissioner Jones, seconded by Commissioner Holderness to adjourn the meeting at 5:20 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Acting Chair Melissa Barrick

Shanna Newman, CD Administrative Assistant

LONG RANGE PLANNING COMMISSION MEETING
August 28, 2017

The Long Range Planning Commission meeting was called to order at 6:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners Lori Rubin, Bob Ryan, Rock Yliniemi, Mark Cross and Council Liaison Todd Holman

MEMBERS ABSENT: Cathy Clark

STAFF PRESENT: Community Development (CD) Director Josh Doty, Planner Matthew Gindele and Chief Jim Exsted.

OTHERS: None

Approval of Minutes

Motion by Commissioner Yliniemi, second by Commissioner Cross to approve the minutes of the July 24, 2017 meeting. Motion carried unanimously.

Hunting Map Amendments

Chief Exsted reviewed the five locations that are proposed to change with the Commission. He noted that out of the five locations, four have been requested to change. Number one is to be consistent with the surrounding area allowing archery only. Number two (south of Joler Rd.) was requested to change from archery only to allow shotguns by an adjacent landowner to the north. Number three, Camp Vanasek, Chief stated that the landowner (Crow Wing County) wanted bow hunting to be allowed. However, the leasee (Camp Vanasek) wants no hunting allowed because there were children's campsites on the property. Staff would be in favor of the bow hunting as long as safety concerns are addressed. The question was asked why the camp is requesting a change from no hunting to hunting a year after they requested it be changed to no hunting. CD Director Doty and Chief Exsted explained that the County owns the land and they lease it to Camp Vanasek. The camp is not requesting that bow hunting be allowed. The landowner Crow Wing County, is making the request to allow bow hunting. Number four is 160 acres in the northwest corner of Evergreen and Highland Scenic, it is currently zoned for archery, however staff received a request to also allow shotgun for turkey hunting. Chief Exsted stated that he doesn't have an issue with someone using bird shot for small game but the ordinance doesn't distinguish between bird shot, which is used for turkey and other small game, and slugs, which are used for deer hunting (large game). Commissioner Yliniemi asked for some clarification on shotguns and small game and stated that the ordinance says you can hunt small game with a shotgun. He questioned if that means you can use bird shot for small game regardless of what hunting zone it is in. Chief Exsted stated that the ordinance probably needs to be clarified regarding that issue but as it is currently, the ordinance does not regulate the type of hunting or the type of shot, only the type of firearm so staff would recommend leaving this as archery only since it is so close to Hwy 371. Number five is north of Mapleton Rd. adjacent to the public works facility and is city-owned land. Chief stated that city-owned land has not been approved for hunting in the past being the liability could be high for the City. Chief also stated that the police currently use that area for k-9 unit training. Chief stated that he recommends no hunting for area 5.

Motion by Commissioner Ryan, second by Commissioner Cross to recommend the City Council approve the 2017 Hunting Map with area Number one & two as Archery, Number three no hunting, Number four as Archery only and Number five no hunting.

Commissioner Yliniemi asked if the county is going to discuss the outcome with the Camp. He stated that he thing bow hunting should be allowed in this area if the County and camp can work out a timeline for bow

hunting that would address safety concerns. Commissioner Ryan stated that if the County really wanted to have bow hunting the County should have been here to support its request to allow bow hunting. He also stated that there are events such as last weekend's triathlon with many people attending and the last thing needed is a deer running out stuck with an arrow onto a road or the park with people around. Commissioner Ryan added that he wants to keep the residents safe, that is the first priority. Commissioner Yliniemi stated he wants to keep the residents in mind that plant gardens and flowers only to have them eaten by the deer. Commissioner Cross agreed with Commissioner Ryan.

Motion carried with Commissioner Yliniemi opposed.

Chair Donnay asked for the protocol for notifying the residents. Chief stated only one changed so it would be easy to notify. Commissioner Cross suggested putting an article in the City newsletter.

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

CD Director Doty stated The City of Baxter is requesting a Comprehensive Plan amendment to amend the City's Future Land Use Plan for 10 properties as a clean-up item from the Comprehensive Plan Update. The amendments are to match the City's planning that occurred previously, as expressed with the City's zoning map. CD Director Doty walked the Commission through each site and made the following recommendations:

1. Property 020274105A00009 is re-guided to Parks and Open Space
2. Property 020262200B00009 is re-guided to Parks and Open Space
3. Property 0336700090C0009 is re-guided to Medium Density Residential
4. Property 010171302B00009 is re-guided to Office
5. Property 010171302C00009 is re-guided to Office
6. Property 0325600090A0009 is re-guided to Low Density Residential (this property was ultimately recommended by the LRPC to remain guided as park property)
7. Property 010053200BB0009 is re-guided to Commercial
8. Property 033700020020009 is re-guided to Commercial
9. Property 033700020010009 are re-guided to Commercial
10. Property 033260010010009 is re-guided to Office.

The Commission held extensive conversation with parcel Property 0325600090A0009 (along College Drive) being re-guided to Low Density Residential. CD Director Doty stated that the City's intended use for that property is single family residential. Commissioner Ryan stated that maybe that property could be used for future green space or wetland credits should the City ever need them. Commissioner Cross stated that he can't see the City platting this property, re-guiding it and rezoning it when the City already has other residential lots that it is unable to sell. The Commission discussed the lot and determined it was not a lot that should be low density residential.

Motion by Commissioner Cross, second by Commissioner Yliniemi to recommend the City Council approve the Comprehensive Plan Amendment to the Future Land Use Plan for 10 Properties with no change to Number 6 (College Dr. parcel) and the remaining properties as suggested by staff.

Commissioner Ryan questioned the conditional use permit for the psychiatric hospital to make sure it remains as a valid permit with the land use change. CD Director Doty stated that was a good point and he will look into their conditional use permit.

Motion carried unanimously.

Other Business

Council Liaison Holman asked if the school board had come forward to the City regarding locations for the new elementary school proposal and whether or not the City will need to address land use for the new location. CD Director Doty stated that the City has not been approached by the school yet so staff is not ready to make a recommendation on that matter at this time. Council Liaison Holman thought that the school was going to try and get a referendum this fall, Chair Donnay said it will most likely be spring for the referendum.

Commissioner Ryan stated that he has resigned from all three of his Commissions being he is moving out west to be with his wife's family. However, he told the Mayor that he would attend the meetings for as long as possible or until the Mayor has found replacements. All Commission members and staff thanked him for his many years of service and wished him the best of luck moving forward.

The next meeting is scheduled for September 25, 2017 at 6:00 p.m.

Adjournment

Motion by Commissioner Ryan, second by Commissioner Yliniemi to adjourn the meeting at 6:52 p.m.
Motion carried unanimously.

Approved By:


Submitted By:

Chair Kevin Donnay

Shanna Newman
CD Administrative Assistant

REQUEST FOR COUNCIL ACTION

09/05/17

Department Approval: Finance Director Vacinek  **Agenda Section:** Consent
Approval Required: Simple Majority Vote of the Council

Item Description: Approve Revisions to the Hardship Deferral Criteria of the Special Assessment Policy

BACKGROUND

The city's current special assessment policy was adopted in 2006 and was most recently amended earlier this year. The attached proposed revisions relate to the eligibility criteria for senior citizen, disability, or military active duty hardship deferral of special assessments for eligible individuals. The proposed changes include: 1) clarifying further the annual gross household income is from all sources; 2) reducing the eligibility requirement for the annual assessment payment from three percent (3.0%) of the homesteaded property owner's income to one and one-half percent (1.5%); and 3) basing the estimated market value limit of the owner's parcel to 150% of the median home value in the city.

Reducing the annual assessment payment limit to greater than 1.5% of income provides further eligibility and relief to those households at the lower end of the HUD Income Limits table for those individuals wishing to apply for the deferral program. Tying the estimated market value limit to 150% of the median home value allows for inflationary increases in valuations and eliminates the need to amend the policy in the future. The proposed change also places less of an emphasis on the home's value compared to the income limitations and assessment payment factors that influence the ability to pay or hardship.

FINANCIAL IMPLICATIONS

The financial implications to the city related to the proposed changes are anticipated to be negligible. Finance will continue to monitor annually the debt service funds associated with the deferred special assessments and adjust future debt service levies, if necessary, to account for the deferred special assessments until they are collected.

STAFF RECOMMENDATION

Finance Director Vacinek recommends approving the special assessment policy revisions as outlined in the attached excerpt of the policy.

COUNCIL ACTIONS REQUESTED

Approve Revisions to the Special Assessment Policy

ATTACHMENTS

Excerpt of Assessment Policy Sections with Proposed Revisions

*Excerpt of City of Baxter Special Assessment Policy
With recommended updates 09/05/17*

SECTION IV - Assessment Conditions, C. Payment Procedures:

5. Hardship (Senior Citizen, Disability, or Military Active Duty) Deferment - Any individual who is the owner of a homesteaded residential property (“Owner”) and who is sixty-five (65) years of age or older, retired by reason of permanent and total disability, or ordered into active military service which would create a hardship and can satisfy the requirements listed below and the provisions specified in Chapter 8 Special Assessments of the City of Baxter Code may request to have his/her Public Improvement assessments deferred.
 - a. Criteria: A hardship shall be deemed prima facie to exist, when all of the following apply:
 - i. The Owner’s annual gross household income from all sources, according to the most recent year's federal income tax return, plus any tax exempt income, does not exceed the most current United States Department of Housing and Urban Development (HUD) definition of Low Income for Crow Wing County. To be classified as “Low Income”, the Owner’s annual gross household income must be 80 percent or lower than the median Crow Wing County income, based upon the number of persons in the household, utilizing HUD’s most recent Income Limits Documentation System table or its successor. If no such return was made, the applicant shall be required to submit other pertinent information to show this qualification is met.
 - ii. The average annual payment due for all assessments levied against the property exceeds one and one-half three percent (1.5%) (3%) of the Owner's income as thus calculated.
 - iii. The total special assessments to be deferred exceed two thousand dollars (\$2,000).
 - iv. The county assessor's most recent estimated market value of the Owner's homestead parcel shall not exceed 150% of the City of Baxter’s median home value as determined by the U.S. Census Bureau one hundred ninety thousand dollars (\$190,000).

REQUEST FOR COUNCIL ACTION

September 5, 2017

Department Origination: Administration

Agenda Section: Consent

Agenda Item: Approve Agreement between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The City's Parks and Trails Division is seeking Council approval to participate in the Central Lakes College ("CLC") Occupational Skills Program. The Occupational Skills Program provides post-secondary, employment "soft skills" training for persons with mild to moderate disabilities. The City is to provide training where the student can learn and develop skills and qualifications needed to achieve occupational goals while assisting in the development of trained personnel to meet future area employment needs.

One student will work with the Parks and Trails Division every Tuesday and Thursday from 9:15 a.m. to 3:30 p.m. The City is not required to compensate the student for the service.

FINANCIAL IMPLICATIONS

There are no financial implication to the City for approving the agreement and participating with this program.

STAFF RECOMMENDATION

Staff recommends Council approve the agreement.

COUNCIL ACTION REQUESTED

Motion to approve the Agreement between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training.

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2017-086**

**A RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO AMENED THE
CITY'S FUTURE LAND USE PLAN FOR NINE PROPERTIES (City File Number 2017-31)**

WHEREAS, The City of Baxter has requested Comprehensive Plan Amendment to amend the City's Future Land Use Plan for nine properties; and

WHEREAS, the nine properties that are specifically affected by the amendment are more specifically described as follows:

020274105A00009	020262200B00009	0336700090C0009
010171302B00009	010171302C00009	010053200BB0009
033700020020009	033700020010009	033260010010009

WHEREAS, the Long Range Planning Commission has reviewed the proposed Comprehensive Plan Amendments at a duly called public hearing on August 28, 2017 and recommends approval;

WHEREAS, the City Council considered the Long Range Planning Commission recommendation at their September 5, 2017 meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA, that it should and hereby does approve the Comprehensive Plan Amendment to amend the City's Future Land Use Plan for nine properties, based upon the finding the following findings:

1. The Comprehensive Plan Amendment to amend the City's Future Land Use Plan as follows:
 - a. Properties 020274105A00009 and 020262200B00009 is re-guided to Public Benefit;
 - b. Property 0336700090C0009 is re-guided to Medium Density Residential;
 - c. Properties 010171302B00009 and 010171302C00009 is re-guided to Office;
 - d. Properties 010053200BB0009, 033700020020009 and 033700020010009 are re-guided to Commercial; and
 - e. Property 033260010010009 is re-guided to Office.
2. The future land use for the properties would not negatively impact other elements of the existing Comprehensive Plan.
3. The proposed future land use would be compatible with the future land use and zoning of the surrounding properties.

Whereupon, said Resolution is hereby declared adopted on this 5th day of September 2017.

Darrel Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal