

BAXTER CITY COUNCIL MINUTES
February 19, 2019

1. Call Meeting to Order

Mayor Darrel Olson called the meeting to order at 7:00 p.m.

2. Roll Call

Mayor Darrel Olson and Council Members Connie Lyscio and Zach Tabatt were present. Council Members Todd Holman and Mark Cross were absent.

City Administrator Brad Chapulis, Assistant City Administrator Kelly Steele, Police Chief Jim Exsted, Community Development Director Josh Doty, Finance Director Jeremy Vacinek, and Public Works Director Trevor Walter were present.

3. Pledge of Allegiance

All joined Mayor Olson in the Pledge of Allegiance.

4. Additions or Changes to the Agenda

City Administrator Chapulis asked to add a proclamation for school board recognition week to the consent agenda as item K.

5. Public Comments

None.

6. Consent Agenda

- A. Approve City Council Work Session Minutes from February 5, 2019
- B. Approve City Council Minutes from February 5, 2019
- C. Approve the Payment of Bills and Finance Report (Addendum A and A-1).
- D. Approve Permit for Retail Sales of Fireworks for Fleet Farm and Menards for the Period of March 1, 2019 through February 29, 2020.
- E. Approve the Utility Connection Agreement with Blue Ox Properties LLC at 7915 State Highway 210
- F. Accept Planning Commission Minutes of February 12, 2019
- G. Approve the Internship Agreement with Sourcewell and Authorize Staff to Commence the Process to Fill the Park and Trial Maintenance Intern Position
- H. Accept Utilities Commission Minute from February 6, 2019
 1. Approve the Landwehr Construction Inc. Change Order No. 3 in the increased amount of \$23,945.20 for the 2018 Cypress Drive Improvements Project.
 2. Approve the Landwehr Construction Inc. Partial Pay Estimate No. 7 in the amount of \$82,867.93 for the 2018 Cypress Drive Improvements Project.
 3. Approve the BNSF Invoice No. 90180831 in the amount of \$104,015.95 for work related to the new Cypress Drive Railroad Crossing per the BNSF Construction & Maintenance Agreement for the 2018 Cypress Drive Improvements Project.
 4. Approve the 2019 Crow Wing County Highway Department Cost Share Agreement No. CP 18-200-89 for the 2019 City of Baxter Street Striping Project in the estimated amount of \$40,706.60.
 5. Approve the Bolton & Menk Proposal for Engineering Services for the 2019 PASER Street Ratings in the not to exceed amount of \$5,952.00.

6. Accept the 20-Year Maintenance Plan Update (2019 – 2039) for Sanitary Sewer and Stormwater Lift Stations.
7. Approve the WSN Proposal for Environmental Services for the ISD 181 Elementary School Conditional Use Permit Assistance in the not to exceed amount of \$3,300.00.
8. Approve the WSN Proposal for Environmental Services for the Midwest Machinery Conditional Use Permit Assistance in the not to exceed amount of \$667.50 contingent on a CUP application being submitted to the City.
9. Approve the WSN Proposal for Engineering Services for the Water Treatment Plant Backwash Basin Sludge Drying Pad in the not to exceed amount of \$7,500.00.
10. Approve the WSN Agreement for Professional Engineering Services for the Maintenance Facility Mezzanine in the not to exceed amount of \$8,000.00.
11. Approve the WSN Agreement for Professional Engineering Services for Lift Station No. 11 Reconstruction in the lump sum amount of \$10,080.00.
12. Approve the WSN Agreement for Professional Engineering and Surveying Services for the 2019 Jasperwood Drive and Mapleton Road Area Improvements in the not to exceed amount of \$169,540.00 contingent on ISD 181 submitting an escrow for the full amount with the City of Baxter.
13. Adopt Resolution No. 2019-009 Approving Plans and Specifications and Ordering Advertisement for Bids for the 2019 Memorywood Drive Improvements Project and authorize staff to bid the project with the 2019 Mill & Overlay and Full Depth Reclamation Improvements Project.
14. Adopt Resolution No. 2019-010 Approving Plans and Specifications and Ordering Advertisement for Bids for the 2019 Mill and Overlay and Full Depth Reclamation Improvements Project
15. Approve the 2018 Chip Seal Repairs Improvement Project Plans and Specifications and authorize staff to bid the project with the 2019 Mill & Overlay and Full Depth Reclamation Improvements Project as an alternate bid.
16. Accept the 2018 Sanitary Sewer Smoke Testing Report and direct staff to repair the clean-outs and sanitary sewer manhole casting in the summer of 2019.
- I. Authorize Mayor and Staff to Execute 2019 BLAEDC Contract for Economic Development Services in the Amount of \$31,000
- J. Approve Appointment of Mr. Mitchell Scott to the Parks and Trails Commission
- K. Proclaim School Board Recognition Week February 18-22, 2019

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to approve the consent agenda as amended. Motion carried unanimously.

7. Pulled Agenda Items

8. Other Business

A. Planning and Zoning Actions

- 1. Adopt Resolution 2019-011 approving a Conditional Use Permit to allow reconstruction/expansion of an existing legally non-conforming structure located on a riparian lot on Whipple Lake located at 4374 Cedar Scenic Road**

Community Development Director Doty explained the applicant is requesting a conditional use permit to allow the reconstruction and expansion of an existing legally non-conforming structure located on a riparian lot on Whipple Lake located at 4374 Cedar Scenic Road for a deck on a single family home. The property does comply with the lake setback to the north but does not comply with the setback to the west. There is an existing deck on the home that is proposed to be expanded. The Planning and Zoning Commission recommended approval subject to the findings contained in the resolution.

MOTION by Council Member Lyscio, seconded by Council Member Tabatt to Adopt Resolution 2019-011 approving a Conditional Use Permit to allow reconstruction/expansion of an existing legally non-conforming structure located on a riparian lot on Whipple Lake located at 4374 Cedar Scenic Road. Motion carried unanimously.

2. Adopt Resolution 2019-012 approving Preliminary and Final Plat of “Eleventh Addition to Forestview on the River” to allow consolidation of three lots into three outlots to provide access to an otherwise landlocked parcel located for properties located north of Forestview Drive and east of State Highway 371

Community Development Director Doty explained the request is for approving a preliminary and final plat of the Eleventh Addition to Forestview on the River to allow consolidation of three lots into three outlots to provide access to an otherwise landlocked parcel located north of Forestview Drive and east of TH 371. The applicant is proposing to rearrange the lot line boundary for a new outlot. The application is not due to any project, but to allow the property owner the ability to market the property for development. There are no utilities servicing the property. Items that are typically reviewed with a plat will be reviewed when a development of the property is proposed. The Planning and Zoning Commission has recommended approval.

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to Adopt Resolution 2019-012 approving Preliminary and Final Plat of “Eleventh Addition to Forestview on the River” to allow consolidation of three lots into three outlots to provide access to an otherwise landlocked parcel located for properties located north of Forestview Drive and east of State Highway 371. Motion carried unanimously.

3. Adopt Resolution 2019-013 approving Planned Unit Development (PUD) Sketch Plan Comments for a commercial development named Baxter Village III / Edgewood Dental to include two commercial buildings located east of Edgewood Drive and west of State Highway 371 and Audubon Way

Community Development Director Doty explained the request is for approving PUD sketch plan comments for a commercial development named Baxter Village III/Edgewood Dental to include two commercial buildings

located east of Edgewood Drive and west of TH 371 and Audubon Way. Community Development Director Doty summarized the comments contained in the proposed resolution and explained the comments are not binding. The proposed development utilizes green practices. Staff has expressed concerns about the type of parking surface proposed due to MPCA stormwater requirements and safety. The Planning and Zoning Commission recommended approval subject to the findings of the resolution.

Jeannie Foss, Tim Ramerth, and Doug Oldham explained how the parking surface will work as proposed. The council requested additional information on the proposed parking surface to ensure the surface will not track onto the roadway and will meet the 100-year storm water requirements.

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to adopt Resolution 2019-013 approving Planned Unit Development (PUD) Sketch Plan Comments for a commercial development named Baxter Village III / Edgewood Dental to include two commercial buildings located east of Edgewood Drive and west of State Highway 371 and Audubon Way, and the City encourages an alternate parking surface plan if the proposed surface does not work. Motion carried unanimously.

9. Council Comments

Connie Lyscio: Council Member Lyscio thanked the city’s snow plow operators for this hard work they have done to keep the streets plowed.

Darrel Olson: Mayor Olson read the proclamation to proclaim February 18-22, 2019 as school board recognition week.

10. City Administrator’s Report

City Administrator Chapulis reminded the council of the upcoming BLAEDC and Sourcewell meetings. City Administrator Chapulis explained the results of the Doodle survey indicated March 9 is the date that will work for all council members. The consensus of the council was to conduct the council retreat on March 9 from 8 a.m. to noon in the council chambers.

11. City Attorney’s Report

A. Closed Session Under Minnesota Statute 13D.05, subd. 3 (c),

Purchase of Property: 032630010040009, 020244200AAA009, 020244103BAA009, 020244103BAA009, 020244103BAA009, 020244103AA0009, 032290010010009, 020244103AA0009, 010193203BC0009, 020241400A00009, 010192304ABE009, 010192205ABA009, 010184300AAC009, and 010184200ACB009.

City Attorney Person asked the council to enter a closed session as presented on the council agenda.

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to enter into a closed session at TIME. Motion carried unanimously.

Mayor Olson opened the regular meeting at 8:43 p.m.

Attorney Person explained the council would not be taking final action on the agenda item.

12. Adjourn

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to adjourn at 8:44 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator