

BAXTER CITY COUNCIL MINUTES
February 20, 2018

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 Quinn Nystrom, Steve Barrows, and Todd Holman were present. Council Member Mark Cross was absent.

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

3. Pledge of Allegiance

All joined Mayor Olson in the Pledge of Allegiance

4. Additions or Changes to the Agenda

Mayor Olson asked for any additions or changes to the agenda. City Administrator Chapulis added the LCCMR update from the work session to the regular agenda under agenda item 8A2 due to lack of discussion time during the work session.

5. Public Comments

Justin Barrick, 4897 Oak Street, thanked the council for providing communication of upcoming construction projects in the City newsletter.

6. Consent Agenda

- A. Approve City Council Minutes from February 7, 2018
- B. Approve City Council Work Session Minutes from February 7, 2018
- C. Approve the Payment of Bills and Finance Report (Addendum A and Addendum A-1).
- D. Adopt Resolution 2018-008 Receiving Feasibility Report and Calling Hearing on Improvement for the 2018 Mill and Overlay and Full Depth Reclamation Improvement Project
- E. Adopt Resolution 2018-009 Ordering Preparation of Report on 2019 South Interceptor and North Forestview Improvement Project
- F. Adopt Resolution 2018-010 Receiving Feasibility Report for the 2019 South Interceptor and North Forestview Improvements Project
- G. Approve Permit for Retail Sales of Fireworks for Mills Fleet Farm, located at 14114 Dellwood Drive, for the Period February 21, 2018 through February 20, 2019
- H. Approve Permit for Retail Sales of Fireworks for Menards, located at 15236 Dellwood Drive, for the Period February 21, 2018 through February 20, 2019
- I. Approve Temporary Liquor License for the Brainerd American Legion Event on March 17, 2018 at the Northland Arboretum
- J. Approve Purchase of the 2018 Ford F-250 from Mills Motor, Inc. including plow and accessories, for a total of \$40,242.11
- K. Approve the Crow Wing County Highway Department's 2017 Pavement Marking Cost Share in the amount of \$19,534.59.

- L. Approve Amendment No. 2 To Contract No. 45902 Paul Bunyan State Trail/City of Baxter Trail Connections Cooperative Agreement Between the State of Minnesota and the City of Baxter
- M. Accept Utilities Commission Minutes from February 8, 2018
 - 1. Approve the Camping World stormwater management plan for 100-year design on all new impervious surfaces and 5-year design on all existing impervious surfaces.
 - 2. Approve the WSB Proposal for Biological Filtration Water Treatment Plant Pilot Study and dedicate 40 – 60 staff hours and lab supplies towards the pilot study.
 - 3. Approve the Bolton & Menk Proposal for Engineering Services for the 2018 Sealcoat Improvements Project in the estimated amount of \$24,500.00.
 - 4. Approve the Quality Flow Quote for Sanitary Sewer Lift Station No. 2 in the amount of \$64,890.00 for the 2018 Cypress Drive Improvements Project.
 - 5. Approve the Quality Flow Quote for the Storm Water Lift Station No. 2 in the amount of \$69,780.00 for the 2018 Cypress Drive Improvements Project.
 - 6. Approve the WSB Proposal for Right-of-Way Platting of Cedar Scenic Road in the not to exceed amount of \$4,500.00 and have City Attorney Person proceed with quiet title action.
 - 7. Approve the Bill Ludenia Quote to complete appraisals on five parcels at \$1,500.00 per parcel (\$7,500.00) for the Section 6 Area A1 Stormwater Outlet from Clearwater Road to Woida Road Improvements Project.
 - 8. Approve the WSN Agreement for Professional Services for the Water Treatment Plant Generator in the not to exceed amount of \$13,750.00.
 - 9. Approve the Eagle Construction Company Change Order No. 1 in the increased amount of \$13,550.00 for the 2018 Water Treatment Plant Flume Replacement Project and change the substantial completion date from March 30, 2018 to April 13, 2018 and final completion date from April 13, 2018 to April 27, 2018.
 - 10. Approve the Eagle Construction Company, Inc. Partial Pay Estimate No. 2 in the amount of \$86,255.25 for the 2018 Water Treatment Plant Flume Replacement Project.
- N. Accept Planning Commission Minutes from February 13, 2018
- O. Accept EDA Minutes from December 19, 2017

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

7. Pulled Agenda Items

8. Other Business

A. Planning and Zoning Actions

- 1. **Adopt Ordinance 2018-003, and Resolution 2018-011 approving Rezoning/PUD General and Final Plan to allow Gander Outdoors, Camping World and Overton’s, and a multi-tenant retail development for property located at 14275, 14203 and 14199 Edgewood Drive**

Community Development Director Doty explained this is a request for a planned unit development for the Gander Mountain property. The council has previously approved several different plans for this property. The subject property is located along Edgewood Drive and TH 371. The last council approval was to consolidate the north lot with the larger Gander Mountain property to allow for

the parking of recreational vehicles along Edgewood Drive. Tonight's request is to return to a hybrid of the original plan. The proposed plat, which has previously been approved by the council, contains three lots. Two of the lots are located along Edgewood Drive and one lot contains the former Gander Mountain building. The difference between tonight's applications and previous applications is that the former application showed RV vehicles parked in the northerly portion of the existing parking lot. The RV vehicle parking area is proposed to be reduced to a smaller footprint. This would then allow for the previously approved frontage building to be added back into the planned unit development.

The new building, north of the existing Caribou and Aspen Dental building, would allow for the Gander Outdoors, Overtons, and Camping World to occupy the entire Gander Mountain building with a smaller footprint for the display and sale of recreational vehicles out-front.

The development does maintain the construction of the parking lot on the north side of the building, with the service bay entrance doors for the use associated with Camping World. The previously approved application provided screening around the northly parking area due to the activity of Camping World, the overhead doors, and the service component of the use. The applicant proposed screening along the west side and north side of the parking lot with a single row of evergreen trees. The original screening is being maintained with the new application. In addition, the pond would be expanded off the loading area of Gander Mountain, increasing the view corridor. This request includes the addition of trees to rescreen the loading area. There would also be a new paved fire lane along the back side of the building.

A proof of parking plan was submitted, as the Gander Mountain site is short on parking. The parking plan demonstrates where future parking could be added if there is a documented parking problem. The applicant believes they have adequate parking for their use. Tonight's resolution is drafted with a condition that the applicant would have to construct additional parking, if needed. Both frontage uses have sufficient parking to support their use.

The development has ADA connectivity in terms of sidewalks and trails. From the south area of the development, which lines up with Cub Foods storefront, a new sidewalk would be constructed to the store front area and extended north to the north property line and that would continue north through the apartment development all the way up to Clearwater Road. There is also an ADA accessible route proposed through the parking lot, a raised island, which would angle up through the development to the storefront buildings along Edgewood Drive. Additionally, just prior to the Planning and Zoning Commission meeting, there was a request from the north property owner to provide connections to the property to the north. The applicant did propose to extend the sidewalk across the two islands near the RV parking area and connect to the Light Depot storefront. The property owner to the north did request two connections. The Planning and Zoning Commission recommended just one connection to the north

because there is an ADA accessible route through the middle of the site connecting back to the frontage buildings. The north property owner could not be here tonight and did request to also have a connection from the northly building to the north property line. The draft resolution does not contain the second connection. The signage was reviewed. The fence for the RV enclosure is a vinyl fence. The previous planned unit development application provided brick columns at the corners. The current request is for black vinyl chain link fence for portions of the north parking area because the area is being screened with evergreen trees. The applicant will update the Gander Mountain building with new paint and stain. The building proposed out-front is similar to what the council previously approved. A drive through is not proposed for the new building. The conditions recommended by the Utilities Commission have been incorporated into the resolution. The Architectural Review have previously been incorporated into the application. The east building is expected to be approved administratively. The Planning and Zoning Commission is recommending approval.

MOTION by Council Member Barrows to adopt Ordinance 2018-003, and Resolution 2018-011 approving Rezoning/PUD General and Final Plan to allow Gander Outdoors, Camping World and Overton's, and a multi-tenant retail development for property located at 14275, 14203 and 14199 Edgewood Drive with the added condition the applicant would construct a pedestrian ramp to connect the easterly building to the Light Depot building site, seconded by Council Member Holman. The applicant asked the pedestrian ramp to be conditioned on the construction of the north building. Council Member Barrows accepted the request. Motion carried unanimously.

2. **LCCMR Update.**

Community Development Director Doty explained in May 2017 the Council authorized staff to move forward with the grant application for the Mississippi Overlook Park Area. On September 5, 2017 Community Development Director Doty along with Camp Ripley Brid. Gen. Lowell Kruse and Camp Ripley Environmental Supervisor Josh Pennington presented to the LCCMR Commission. The City's project has since been selected to move forward in the funding process. A forest management plan was required and submitted. Community Development Director Doty explained the City now waits to see if the state legislature will provide funding. Community Development Director Doty explained the timing of discussion during the legislative session is not known. Council Member Holman explained, after reviewing the management plan, some clarity is needed on the multi-use trail components and that staff could review.

B. Council Comments

Todd Holman: Council Member Holman inquired about enforcing private sidewalk maintenance to meet ADA standards and suggested staff should develop an ordinance which requires maintenance of a sidewalk identified as public connectivity. Most businesses are good with maintaining sidewalks, but there could be one that is not.

Darrel Olson: Mayor Olson explained he missed the work session and EDA meeting due to his attendance at the Elks 150th birthday celebration. Mayor Olson thanked the Boy Scouts for attending the council meeting. The Boy Scouts explained they are members of Troop 45. Mayor Olson explained he attended the ribbon cutting ceremony for Dick's Sporting Goods on Monday, as did City Administrator Chapulis, and welcomed them to the community. The city experienced a difficult situation last week and Chief Exsted and the entire police department did a great job representing the City. Mayor Olson extended his condolences to the family members.

C. City Administrator's Report

City Administrator Chapulis explained the NJPA annual meeting of the Representative Assembly will be held on April 11 at Maddens. As members, the City receives two seats at the meeting. City Administrator Chapulis asked the council to let him or Assistant City Administrator Steele know if they are interested in attending.

D. City Attorney's Report

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

Attorney Person asked the Council to enter into a closed session under Minnesota Statute 13D.05, subd. 3 (c), to discuss the purchase of property.

MOTION by Council Member Barrows, seconded by Council Member Holman to enter into a closed session at 7:30p.m. Motion carried unanimously.

MOTION by Council Member Barrows, seconded by Council Member Nystrom to return to the open session at 9:02 p.m. Motion carried unanimously.

Attorney Person explained the Council reached consensus to approve the offers from Lively Annex Real Estate Holdings, LLC and Englemeyer Real Estate, LLC.

MOTION by Council Member Barrows, seconded by Council Member Holman to approve the right of way acquisition agreements with Lively Annex Real Estate Holdings, LLC and Englemeyer Real Estate, LLC. Motion carried unanimously.

Attorney Person explained the Council heard a presentation from Steve Lund, ISD 181 Director of Business Services, regarding a potential school site. The consensus of the Council is to explore the sale of the city owned parcel and to direct staff to continue negotiations.

MOTION by Council Member Barrows, seconded by Council Member Nystrom to support the sale of up to sixty acres of the City Center property to ISD 181. Motion carried unanimously.

E. Adjourn

MOTION by Council Member Barrows, seconded by Council Member Nystrom to adjourn at 9:04 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator