

BAXTER CITY COUNCIL MINUTES
March 15, 2016

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

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Administrator Gordon Heitke, Community Development Director Josh Doty, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Sergeant Dave Timm, and Public Works Director Trevor Walter

SPECIAL PRESENTATIONS

Colette Larson, Heart Safe Community Designation

Ms. Larson explained she is the Take Heart Coordinator for Essentia Health, St. Joseph Medical Center. Essentia Health St. Joseph Medical Center has donated AEDs for use at City Hall, the Public Works Facility, and the Police Department. The Heart Safe community designation is from the American Heart Association, Minnesota Department of Health, and a team of statewide organizations. The program aims to increase survival rates of sudden cardiac arrest by helping communities assess their preparedness for cardiac emergencies and finding gaps where improvements can be made. Increasing survival rates can be achieved by training people how to operate an AED and placing them where people work, play, and live. The Take Heart Program at Essentia Health has donated over 100 AEDs to our community and has provided free training to more than 15,000 people since 2005. Ms. Larson presented the Council with a plaque and sign.

Lydia Benson Miss Jr. Teen Minnesota, former Baxter Jr. Teen

Ms. Benson explained she is the former 2015 Baxter Jr. Teen and current 2016 Miss Jr. Teen Minnesota. Ms. Benson will be representing Baxter at the Nationals pageant in Las Vegas on February 20, 2017. Ms. Benson will be competing against 56 other titleholders. Ms. Benson offered to attend events in Baxter.

PUBLIC COMMENTS

Randy Reeves, 5020 Fairview Road, explained he was informed there would not be pipes installed in his yard and his trees would not be removed, but now it appears this is not accurate. Mr. Reeves explained his trees act as a buffer to the noise from the highway and the trees cannot be replaced.

Chris Moran, Boomer Pizza, expressed concerns the proposed Excelsior Road roundabout would cause for deliveries and garbage collection at his restaurant. Mr. Moran asked how many new parking spaces would be created between Boomer Pizza and Holiday, if the six large trees between Boomer Pizza and Excelsior Road would be cut down, if his dumpsters would have to be screened,

and if businesses would be able to install signs. Mr. Moran explained he provided his questions to City Administrator Heitke.

Dave Schonrock, 6056 Fairview Road, explained he would like to continue discussing pedestrian safety. Mr. Schonrock clarified he never said the Baxter Police Department is not doing their job. Mr. Schonrock read Minnesota Statute 169.011 and explained the statute states police officers should issue tickets. Mr. Schonrock has spoken to other police officers and that safety starts with training people how to drive. Mr. Schonrock said he received a citywide traffic study from MnDOT and there has not been a traffic study conducted for Fairview Road. Mr. Schonrock said he has a copy of the speed study and Minnesota Statute 169.14 does provide for the City's ability to reduce speed limits.

CONSENT AGENDA

- A. Approve City Council Minutes from February 16, 2016
- B. Approve City Council Work Session Minutes from February 16, 2016
- C. Approve City Council Special Minutes from February 24, 2016
- D. Approve the Payment of Bills and Finance Report
- E. Approve Parks and Trails Commission Minutes from February 22, 2016
- F. Approve Long Range Planning Commission Minutes from February 22, 2016
- G. Approve Architectural Review Commission Minutes from February 24, 2016
- H. Adopt Resolution No. 2016-016 approving the 2016 Pavement Management Program.
- I. Approve the Bolton & Menk Proposal for Engineering Services for the 2016 Pavement Management Program Implementation in the estimated cost of \$14,700.00 depending on the number of meetings and number of maps required at the end of the implementation process
- J. Approve Permit for Retail Sales of Fireworks by B.J. Alan Company at Mills Fleet Farm and Menards
- K. Approve moving the Inglewood Drive Railroad Crossing Project from 2020 to 2021 in the City 5-Year CIP
- L. Approve a 2016 budget amendment for the purchase of an athletic field cart for use at Oscar Kristofferson Park in the amount of \$2,169
- M. Approve the use of fiber cement as an external building material for Cub Foods located at 14133 Edgewood Drive
- N. Approve Lease Agreement with Baxter Snowmobile Club for Use of City Building
- O. Approve WSN Agreement for Professional Engineering Services for the North Inglewood Drive Area Improvements Feasibility Report at a Not-to-Exceed Cost of \$5,000

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

OTHER BUSINESS

Planning and Zoning Items

Adopt Resolution 2016-019 Approving a Conditional Use Permit to allow a drive through for Riverwood Bank located at 14540 Edgewood Drive

Community Development Director Doty explained the applicant is requesting a conditional use permit for a drive through for a new bank to be constructed at the former Bonanza site. There would also be a coffee shop tenant in the bank building. The Bonanza building would be removed

to allow for the new bank building. Community Development Director Doty explained vehicle parking locations and traffic flow. Staff reviewed the project scope and found it to be in conformance with zoning code standards. The City has a goal to obtain seven feet of right-of-way on the south side of the property, but because there is not a plat application, the city cannot require this. Community Development Director Doty highlighted the results of the traffic study and explained the City would provide the turn lane as recommended in the traffic study. The Utilities Commission reviewed the application and recommended some conditions. The architectural review of the application required changes to the roof pitch and the east elevation in order to meet the standards. Staff is recommending approval, subject to conditions contained in the resolution. The Planning and Zoning Commission's recommendation included the condition of a sidewalk on the northeast corner of the site and to revise the plans to show a trail along Clearwater Road. The applicant would like to discuss the conditions recommended by the Planning and Zoning Commission with the Council. The recommended trail does not leave adequate space for a drive isle. Staff recommended a trail on the south side of the property along Clearwater Road due to the Parks and Trails section of the Comprehensive Plan. The property owner is not interested in providing the requested right of way.

Sean Raboin, HTG Architects, explained Riverwood Bank is very excited to complete this project. Because of the sites tightness on the south, the trail is a challenge. In the future, a pedestrian bridge is scheduled to be constructed near this site; the applicant is concerned how the trail would be affected by the bridge. If the bank adds the trail, would the trail have to be moved in the future due to the bridge placement. The bank would agree to put in the trail when the location of the bridge is decided. The applicant would like to eliminate the northeast sidewalk due of the grade, the requirement of having to install a retaining wall, and the cost.

The council discussed if the requested trail is necessary and if necessary, where is the correct location for the trial.

MOTION by Council Member Holman, seconded by Council Member Cross to approve the Conditional Use Permit subject to a condition that a sidewalk on the north side be constructed from the drive lane all the way to the east to the intersection along the private road and subject to a separate condition that the City will not require the construction of the trail along the South property line along Clearwater Road until such time that the City determines what other type of connectivity is to be constructed and that staff develops a mechanism to secure the cost of the trail or that the City accepts a 7-foot road right-of-way dedication without the requirement to construct the trail or sidewalk as proposed and that at some point in the future that it would be a City responsibility.

Adopt Resolution 2016-020 Approving a Conditional Use Permit to allow grading of a riparian lot for a new slab on grade home for property located within the shoreland overlay district at 13179 Homestead Drive

Community Development Director Doty explained the application is to allow grading for the construction of a new home on Perch Lake. The home would be constructed on the northwest corner of the property. When reviewing the application, staff is looking for minimum lot size requirements, impervious surface, and erosion control standards are being achieved. The Planning and Zoning Commission recommends approval. The applicant has not submitted an application for the home at this time because they have decided to complete the conditional use process first.

The Council discussed if the applicant could submit a different style of home after approval of the conditional use permit. Community Development Director Doty explained if they changed the style of home they would have to go through the grading process again.

MOTION Council Member Cross, seconded by Council Member Nystrom to Adopt Resolution 2016-020 Approving a Conditional Use Permit to allow grading of a riparian lot for a new slab on grade home for property located within the shoreland overlay district at 13179 Homestead Drive. Motion carries unanimously.

COUNCIL COMMENTS

Steve Barrows: Council Member Barrows reminded the council of the open house at Exit Realty on Wednesday.

Darrel Olson: Mayor Olson explained the council received a letter from City Administrator Heitke indicating he would be retiring. Mayor Olson wished City Administrator Heitke well and thanked him for his service to the City of Baxter. Mayor Olson explained the meeting on March 24, to conduct City Administrator Heitke’s annual review, needs to be cancelled.

CITY ADMINISTRATOR’S REPORT

City Administrator Heitke explained the work session packet contained a memo from Administrative Assistant Mary Haugen explaining concerns identified by the Cemetery Board. It has been some time since the Board has met. The City is completing the monument project this year to make it faster to locate monuments. The Board expressed concern with the condition of the cemetery grass. Staff is inquiring if the Council would like to reconstitute the Cemetery Board or if the Council would like to take over the Board’s functions and staff presents issues to the Council. The Council’s consensus was to reconstitute the Cemetery Board. Staff will bring the item back at a future work session.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn the meeting at 8:15 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator/Clerk