

BAXTER CITY COUNCIL MINUTES
March 17, 2015

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: Community Development Director Josh Doty, Finance Director Jeremy Vacinek, Assistant City Administrator Kelly Steele, and Public Works Director/City Engineer Trevor Walter

TOWARDS ZERO DEATHS PRESENTATION/AWARD OF EQUIPMENT TO POLICE DEPARTMENT

Frank Scherf, Minnesota Department of Public Safety, Towards Zero Death (“TZD”) Enforcement Liaison, explained TZD has evolved from Safe and Sober. Mr. Scherf further explained the TZD program has identified several major focus areas to reduce traffic injuries and fatalities. The focus areas are known as the four E’s. The four E’s are education, emergency medical and trauma services, enforcement, and engineering. Mr. Scherf described after each quarter two agencies are selected and awarded for their efforts. For the third quarter of fiscal year 2013-2014, Mr. Scherf selected the Baxter Police Department to receive an award. Mr. Scherf stated if he could select the same agency more often, he would select Baxter. The department has selected a Lidar unit for their award. Mr. Scherf thanked the council for allowing the department to participate in the program. Chief Exsted explained Sergeant Sullivan has coordinated the TZD program for the last several years.

CONSENT AGENDA

- A. Approve City Council Minutes from March 3, 2015
- B. Approve City Council Work Session Minutes from March 3, 2015
- C. Approve City Council Special Meeting Minutes from March 5, 2015
- D. Approve the Payment of Bills and Finance Report
- E. Award the Professional Engineering and Related Services Contract for 2015 Water Treatment Plant Cost Benefit Analysis for Future Needs to Progressive Consulting Engineers, Inc. in the not to exceed amount of \$24,497.50
- F. Approve Resolution 2015-20 Receiving Inglewood Report and Calling Improvement Hearing
- G. Adopt Resolution No. 2015-21 Ordering Preparation of Proposed Assessment for the 2015 Briarwood Lane Improvement Project and WSN Memo
- H. Adopt Resolution No. 2015-22 for Hearing on Proposed Assessment for the 2015 Briarwood Lane Improvement Project
- I. Approve Temporary Gambling License for the Church of St. Mathias Fundraising Event For Lakes Area Habitat for Humanity
- J. Approve Permit for Retail Sales of Fireworks by B.J. Alan Company at Mills Fleet Farm and Menards

- K. Accept Utilities Commission Minutes of March 4, 2015
- L. Adopt Resolution No. 2015-23 Relating to the Renaming of Ironwood Drive from Mapleton Road to County State Aid Highway 48 in the City of Baxter, Minnesota
- M. Adopt Resolution No. 2015-24 Relating to the Naming of Isle Court in the City of Baxter, Minnesota
- N. Adopt Resolution No. 2015-25 Relating to Parking Restrictions on Mapleton Road from County State Aid Highway 48 to Mountain Ash Drive in the City of Baxter, Minnesota
- O. Adopt Resolution No. 2015-26 Relating to Parking Restrictions on County State Aid Highway 48 from Trunk Highway 371 to Trunk Highway 210 in the City of Baxter, Minnesota
- P. Approve Planning and Zoning Commission Minutes from March 10, 2015
- Q. Authorize Staff to Notify Crow Wing County of the City's Response to the Classification to Nonconservation and Intended Sale of Tax Forfeited Parcels

MOTION by Council Member Cross, seconded by Council Member Holman to approve the consent agenda with the exception of agenda item N. Motion carries unanimously.

PULLED AGENDA ITEMS

N. Adopt Resolution No. 2015-25 Relating to Parking Restrictions on Mapleton Road from County State Aid Highway 48 to Mountain Ash Drive in the City of Baxter, Minnesota.

Mayor Olson asked to pull agenda item N. to discuss parking around Forestview Middle School for special events. Public Works Director/City Engineer Walter explained groups will have to apply for a permit from Crow Wing County to park along the no parking streets and the no parking signs will have to be removed. Designating this area as no parking will eliminate parking for soccer events. However, this will help prevent some erosion on the in slopes of the ditch from driving down into the ditch.

MOTION by Council Member Cross, seconded by Council Member Barrows to adopt Resolution No. 2015-25 Relating to Parking Restrictions on Mapleton Road from County State Aid Highway 48 to Mountain Ash Drive in the City of Baxter, Minnesota. Motion carries unanimously.

OTHER BUSINESS

Planning & Zoning Actions

Adopt Resolution No. 2015-27 Approving a Conditional Use Permit to allow accessory building square footage to exceed 1,800 square feet for property located at 4122 Mapleton Road

Community Development Director Doty explained the applicant has requested a 2,560 square foot detached accessory building for property located at 4122 Mapleton Road. The zoning ordinance requires a conditional use permit to exceed 1,800 square feet of garage space on residential property. A conditional use permit is allowed in certain districts if the subject property exceeds 2.5 acres. The subject property in this application request is an existing farm located on 40 acres. The approval of the conditional use permit will allow a 40-foot by 64-foot detached accessory building, which provides a total of 8,944 square feet of total accessory building area. The building will be constructed as a metal pole barn. Staff finds the applicant meets the standards and the Planning and Zoning Commission has recommended approval. The Council discussed if an interim use permit would be needed for the farm animals. The applicant has explained the building would be use for equipment storage, not farm animals.

The Council discussed if there should be a restriction on the number of allowed animals. The applicant explained he has approximately 50 animals.

MOTION by Council Member Holman, seconded by Council Member Cross to adopt Resolution No. 2015-27 approving a conditional use permit to allow accessory building square footage to exceed 1,800 square feet for property located at 4122 Mapleton Road.

Council Member Barrows offered a friendly amendment to require the property owner to submit an application for an interim use permit prior to the issuance of a building permit. City Attorney suggested a deed restriction is added so that the property cannot be subdivided without reanalysis of the permit. Council Member Holman accepted the friendly amendment with the addition of City Attorney Person's comments. Motion carries unanimously.

Adopt Resolution No. 2015-28 approving a Preliminary and Final plat to be named Phase Four of Shanandoah Office Park to allow the construction of an office building for property located at the southwest corner of Forthun Road and Isle Drive

Community Development Director Doty explained the applicant has requested approval to consolidate four lots and one out lot to be named Phase Four of the Shanandoah Office Park for Exit Lakes Realty. The plat would allow the construction of a 9,650 square foot office building. The plat shows the City is collecting more than the standard seven feet of right-of-way along Forthun Road to accommodate future roadway improvements. The City owns the corner property east of the subject site for future roadway intersection improvements. Exit Lakes Realty requested that the right-of-way be included in a land swap for 1,913 square feet of City property to be added to their site. The applicant's development plan meets the city's 25-percent impervious surface regulation without the right-of-way dedication but exceeds the regulation by .39 percent with the dedication. Exit Lakes Realty has indicated they are willing to provide storm water treatment for the .39 percent above the City's typical storm water treatment requirements. Community Development Director Doty explained park dedication is not required because it was provided in previous applications. A sidewalk is proposed in the front of the multi-tenant office building. The sidewalk would be extended to Forthun Road for future improvements. The Utilities Commission has reviewed the request and recommends approval, subject to some conditions. The Planning and Zoning Commission has also reviewed and recommends approval.

MOTION by Council Member Cross, seconded by Council Member Barrows to adopt Resolution No. 2015-28 approving a preliminary and final plat to be named Phase Four of the Shanandoah Office Park to allow the construction of an office building for property located at the southwest corner of Forthun Road and Isle Drive. Motion carries unanimously.

PUBLIC HEARING at 7:00 p.m. or thereafter to Discuss Vacating Easements within Phase Three of Shanandoah Office Park

Mayor Olson opened the public hearing at 7:37 p.m., with there being no public comments; Mayor Olson closed the public hearing at 7:37:15 p.m.

Adopt Resolution No. 2015-29 approving a vacation of all easements on Lots 1-4, Block 1, and Outlot C of Phase Three of Shanandoah Office Park

MOTION by Council Member Cross, seconded by Council Member Barrows to adopt Resolution No. 2015-29 approving a vacation of all easements on Lots 1-4, Block 1, and Outlot C of Phase Three of Shanandoah Office Park. Motion carries unanimously.

Adopt Resolution No. 2015-30 approving findings of fact for a land swap relating to Phase Four of Shanandoah Office Park

MOTION by Council Member Cross, seconded by Council Member Barrows to adopt Resolution No. 2015-30 approving findings of fact for a land swap relating to Phase Four of Shanandoah Office Park. Motion carries unanimously.

Adopt Resolution No. 2015-31 Approving a Conditional Use Permits for Planned Unit Development Amendment to allow a drive through and related site improvements for Affinity Plus Federal Credit Union located at 15524 Edgewood Drive

Community Development Director Doty explained Affinity Credit Union has plans to locate next to Bookworld. Affinity Credit Union's original approvals expired after one year of not starting the project. Staff reviewed the application and compared it against the new ordinance changes. Staff supports the location of the drive through and the applicant has met all of the requirements. The Planning and Zoning Commission has recommended approval.

MOTION by Council Member Barrows, seconded by Council Member Cross to adopt Resolution No. 2015-31 approving a conditional use permit for planned unit development amendment to allow a drive through and related site improvements for Affinity Plus Federal Credit Union located at 15524 Edgewood Drive. Motion carries unanimously.

Adopt Resolution No. 2015-32 Approving Findings of Fact, Ordinance No. 2015-06 and Summary Ordinance No. 2015-27 approving Zoning Ordinance Amendments related to the city's Planned Unit Development regulations

Community Development Director Doty explained this is an ordinance amendment proposed by the City related to the Planned Unit Development standards. The amended would be consistent with the Comprehensive Plan and other City policies and goals. The overall goal of the amendment is to provide a comprehensive procedure intended to allow greater flexibility in the development of neighborhoods or non-residential areas that would be possible under a conventional zoning district. The amendment creates a three-step process for approval. Both the Long Range Planning Commission and Planning and Zoning Commission have recommended approval.

MOTION by Council Member Holman, seconded by Council Member Barrows to adopt Resolution No. 2015-32 approving finds of fact, Ordinance No. 2015-06 and Summary Ordinance 2015-27 approving zoning ordinance amendments related to the City's Planned Unit Development regulations. Motion carries unanimously.

COUNCIL COMMENTS

Steve Barrows: Council Member Barrows congratulated the police department on their award.

CITY ADMINISTRATOR'S REPORT

Assistant City Administrator Steele reminded the Council they had scheduled a meeting for City Administrator Heitke's annual review on March 30. However, based on the update the Council and staff received from City Administrator Heitke late yesterday, it is doubtful that he will be fully back to work by then. It might be best to reschedule it once City Administrator Heitke fully returns to work, so there will not be a need to reschedule again. The consensus of the council was to cancel the March 30 meeting.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn the meeting at 6:30 p.m. to the special meeting on March 19, 2015 at 6:30 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator