

BAXTER CITY COUNCIL MINUTES
March 20, 2018

1. Call Meeting to Order

Vice Mayor Todd Holman called the meeting to order at 7:00 p.m.

2. Roll Call

Vice Mayor Todd Holman and Council Members Quinn Nystrom and Mark Cross were present. Mayor Darrel Olson and Council Member Steve Barrows were absent.

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

3. Pledge of Allegiance

All joined Vice Mayor Holman in the Pledge of Allegiance

4. Additions or Changes to the Agenda

City Administrator Chapulis asked the Council to add Resolution 2018-019 entering into cooperative construction agreement no. 1026677 with the Minnesota Department of Transportation for the reconstruction of Cypress Drive from College Road to Excelsior Road including improvements to the TH 210 at Cypress Drive at Golf Course Drive to the Consent Agenda.

5. Public Comments

Kelly Dean, 12082 Forestview Drive. Ms. Dean explained she is an owner of Dean's Auto Parts. Ms. Dean sent a letter to City Administrator Chapulis and Public Works Director Walter in regard to the water situation on Evergreen Drive. A solution to the closure is needed as the closure is affecting the business. Ms. Dean explained she agreed to close Evergreen Drive over the winter because it was icy and she did not want someone to get hurt. A solution to open the roadway for the business and public is needed. City Administrator Chapulis explained the letter has been received and will be brought forward to a council meeting once staff has developed a recommendation.

Pat Pickar, 6118 Knollwood Court. Mr. Pickar explained he is running for Crow Wing County Sheriff.

6. Consent Agenda

- A. Approve City Council Minutes from March 6, 2018
- B. Approve Special City Council Minutes from March 15, 2018
- C. Approve the Payment of Bills and Finance Report (Addendum A).
- D. Approve Special Event Permit for 2018 Kiwanis Kids Triathlon at Whipple Beach on August 25, 2018
- E. Accept Planning Commission Minutes from March 13, 2018
- F. Accept Utilities Commission Minutes from March 7, 2018
 - 1. Approve the Bradford Northwoods Development, LLC Agreement for Development.

2. Approve the Bradford Northwoods Development, LLC Stormwater Maintenance Agreement.
3. Approve the KTJ 243, LLC (Camping World) Agreement for Development.
4. Approve the KTJ 243, LLC (Camping World) Stormwater Maintenance Agreement.
5. Adopt Resolution 2018-012 Receiving Feasibility Report for the Cypress Drive Connection to Woida Road Improvements Project
6. Require Holiday Station Store to escrow \$21,877.00 with the City of Baxter for the 2018 Excelsior Road Improvements Project to cover the WSB Environmental Services Contract (no attachment).
7. Approve the WSB Environmental Services Contract for the 2018 Excelsior Road Improvements Project at the Holiday Station Store in the amount of \$21,877.00.
8. Approve the Crow Wing County Pay Request in the amount of \$185,880.76 for the City's portion of the construction and BNSF costs of the 2017 County State Aid Highway 48 Railway Crossing and Trail Improvements Project.
9. Adopt Resolution 2018-013 Receiving Feasibility Report for the 2019 Memorywood Drive Improvement Project contingent on the addition of the storm septor at the intersection of Memorywood Drive and Clearwater Road
10. Approve the Eagle Construction Company, Inc. Partial Pay Estimate No. 3 in the amount of \$60,543.50 for the 2018 Water Treatment Plant Flume Replacement Project.
11. Adopt Resolution 2018-014 to support for the 2018 Minnesota Department of Transportation Corridors of Commerce local program for scoping the options and feasibility of extending the four-lane highway on TH 210 from Baxter to Motley.
12. Adopt Resolution 2018-015 to support the 2018 Minnesota Department of Transportation Corridors of Commerce local program for scoping the options and feasibility of constructing an interchange at the intersection of TH 210 and TH 371 in Baxter.
13. Resolution 2018-019 entering into cooperative construction agreement no. 1026677 with the Minnesota Department of Transportation for the reconstruction of Cypress Drive from College Road to Excelsior Road including improvements to the TH 210 at Cypress Drive at Golf Course Drive

MOTION by Council Member Cross, seconded by Council Member Nystrom to approve the Consent Agenda. Motion carried unanimously.

7. Pulled Agenda Items

8. Other Business

A. Planning and Zoning Actions

1. Adopt Resolution 2018-016 approving a setback variance for Berry Apartments located at 13254 Cypress Drive.

Community Development Director Doty clarified the request is for Berrywood Apartments located 13254 Cypress Drive. The variance is due to the Cypress Drive improvement project requiring a change to the property boundary and right

of way boundary. The variance is needed at the northwest corner of the existing apartment garage building. The request is for a 22.8' setback variance. The Planning and Zoning Commission is recommending approval.

MOTION by Council Member Cross, seconded by Council Member Nystrom to Adopt Resolution 2018-016 approving a setback variance for Berry Apartments located at 13254 Cypress Drive. Motion carried unanimously.

2. Adopt Resolution 2018-017 approving setback variances for Ashabee, LLC. located at 13341 Cypress Drive.

Community Development Director Doty explained there are three variance requests due to the Cypress Drive improvement project. The variances are for building setback, parking setback, and setback to drive aisles. The parking lot would be reconfigured with the project. The Planning and Zoning Commission is recommending approval of the variances subject to the conditions contained in the proposed resolution.

MOTION by Council Member Cross, seconded by Council Member Nystrom to Adopt Resolution 2018-017 approving setback variances for Ashabee, LLC. located at 13341 Cypress Drive. Motion carried unanimously.

3. Adopt Resolution No. 2018-018 revising Resolution No. 2016-094 to allow a phasing plan for the multi-tenant retail development named Northwoods Crossing located at 15146 Dellwood Drive and the vacant lot to the south.

Community Development Director Doty explained the request is an amendment to existing conditional use permits that were approved in 2016. The development is located on Dellwood Drive, in front of Menards. The approval was for two three tenant buildings each with a drive through lane. The request tonight is to allow a phasing plan that would allow for the one of the buildings to be constructed at this time. When the development plan came forward in 2016 it was for both buildings. The proposed phasing plan would allow for one building, the southerly building, to be constructed at this time. Access would be off of Dellwood Drive. Nothing has substantially changed since the 2016 approval. When tenants are secured for the north building, the applicant would move forward with the construction of the north building.

Council Member Holman inquired if the north lot would be graded and seeded. Community Development Director Doty explained the applicant would be required to seed the empty lot.

Council Member Cross inquired what has changed on the plans since the Council last reviewed the plans. Chad Conner, representing the applicant, explained nothing has changed, other than some clarification required by city staff to push the trash collection area to the north for screening from Dellwood Drive and some pedestrian ramps were added to the sidewalks.

MOTION by Council Member Cross, seconded by Council Member Nystrom to Adopt Resolution No. 2018-018 Revising Resolution No. 2016-094 to allow a

phasing plan for the multi-tenant retail development named Northwoods Crossing located at 15146 Dellwood Drive and the vacant lot to the south.
Motion carried unanimously.

9. Council Comments

Mark Cross: Council Member Cross reminded motorists to watch out for motorcycles.

10. City Administrator's Report

City Administrator Chapulis reminded the Council of the Chamber's Eggs and Issues legislative breakfast scheduled for Friday morning and explained the City is now live on Facebook.

11. 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 Cross, seconded by Council Member Nystrom to enter into a closed session at 7:23p.m. Motion carried unanimously.

MOTION by Council Member Cross, seconded by Council Member Nystrom to return to the open session at 7:32 p.m. Motion carried unanimously.

Attorney Person explained two properties were discussed during the closed session and Council directed staff to continue negotiating.

12. Adjourn

MOTION by Council Member Cross, seconded by Council Member Nystrom to adjourn at 7:33 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Todd Holman
Vice Mayor

Kelly Steele
Assistant City Administrator