

BAXTER CITY COUNCIL MINUTES
May 6, 2014

Mayor 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.

MEMBERS PRESENT: Council Members Todd Holman, Jim Klein, Rob Moser, and Mayor Darrel Olson.

MEMBERS ABSENT: Council Member Cross.

STAFF PRESENT: Community Development Director Josh Doty, Public Works Director/City Engineer Trevor Walter, City Administrator Gordon Heitke, Assistant City Administrator/Clerk Kelly Steele, Finance Director Jeremy Vacinek, and City Attorney John Person.

PUBLIC COMMENTS

CONSENT AGENDA

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

- A. Approve City Council Minutes from April 15, 2014
- B. Approve City Council Work Session Minutes from April 15, 2014
- C. Approve Special City Council Minutes from April 16, 2014
- D. Approve Special City Council Minutes from April 23, 2014
- E. Approve Special City Council Minutes from April 29, 2014
- F. Approve the Payment of Bills and Finance Report
- G. Appoint Seasonal Park Attendant Employees
- H. Approve Ordinance No. 2014-11 Amending the Text of Title 8 Public Utilities Section 8-1-4: Water Availability Charge (WAC) and Section 8-2-15: Sewer Availability Charge (SAC)
- I. Approve Ordinance No. 2014-12 Summary of Ordinance No. 2014-11
- J. Long Range Planning Commission Minutes from April 14, 2014
- K. Long Range Planning Commission Minutes from April 28, 2014
- L. Parks and Trails Commission Minutes from April 28, 2014
- M. Approve Advertising for the City Planner Position
- N. Approve Updated Job Descriptions
- O. Adopt Resolution No. 2014-24 Ordering Preparation of Proposed Assessment
- P. Adopt Resolution No. 2014-25 Hearing on Proposed Assessment
- Q. Adopt Resolution No. 2014-26 Establishing Isle Drive a 2015 Construction Project
- R. Adopt Resolution No. 2014-27 Establishing Cypress Drive as a 2018 Construction Project
- S. Approve the HDR proposal for a feasibility study for the Baxter Water Quality Project for the Whiskey Creek Tributary to the Mississippi River at a not to exceed amount of \$14,993.00

- T. Approve Pay Estimate #2 to St Croix Recreation for the 2014 Whipple Lake Recreational facility kitchen and picnic pavilion project in the amount of \$2,905.02
- U. Approve Pay Estimate #1 to St Croix Recreation for the 2014 Berrywood Park picnic pavilion project in the amount of \$1,526.16
- V. Approve Special Event Permit for Mills Fleet Farm 5th Annual Baxter 4K Run on May 31, 2014
- W. Adopt Resolution No. 2014-28 Finding a Parcel is Occupied by a Structurally Substandard Building

PULLED AGENDA ITEMS

H. Approve Ordinance No. 2014-11 Amending the Text of Title 8 Public Utilities Section 8-1-4: Water Availability Charge (WAC) and Section 8-2-15: Sewer Availability Charge (SAC)

MOTION by Council Member Klein to table until the next meeting to provide for further review. Motion failed for lack of a second.

MOTION by Council Member Moser, seconded by Council Member Holman to Approve Ordinance No. 2014-11 Amending the Text of Title 8 Public Utilities Section 8-1-4: Water Availability Charge (WAC) and Section 8-2-15: Sewer Availability Charge (SAC). Motion carries with Mayor Olson and Council Members Moser and Holman voting yes and Council Member Klein voting no.

S. Approve the HDR proposal for a feasibility study for the Baxter Water Quality Project for the Whiskey Creek Tributary to the Mississippi River at a not to exceed amount of \$14,993.00

Council Member Klein question if the city of Brainerd will participate in the cost of the study. Mr. Heitke explained this is a City of Baxter project. Council Member Klein questioned a sanitary discharge point. Mr. Walter explained the area in the proposal is downstream from the discharge point. Council Member Klein inquired the reason for the City not studying the entire Whiskey Creek. Mr. Walter explained this study is not the final project to improve the discharge of Whiskey Creek.

MOTION by Council Member Klein, seconded by Council Member Moser to approve the HDR proposal for a feasibility study for the Baxter Water Quality Project for the Whiskey Creek Tributary to the Mississippi River at a not to exceed amount of \$14,993.00. Motion carries unanimously.

OTHER BUSINESS

Approve Ordinance No. 2014-09 to Regulate Liquor Sales and/or Consumption for Non-Enclosed Premises

MOTION by Council Member X, seconded by Council Member X to approve Ordinance No. 2014-09 to Regulate Liquor Sales and/or Consumption for Non-Enclosed Premises. Motion carries unanimously.

Approve Ordinance No. 2014-10 Summary of Ordinance No. 2014-09 to Regulate Liquor Sales and/or Consumption for Non-Enclosed Premises

MOTION by Council Member X, seconded by Council Member X to approve Ordinance No. 2014-10 Summary of Ordinance No. 2014-09 to Regulate Liquor Sales and/or Consumption for Non-Enclosed Premises. Motion carries unanimously.

Donation from Crow Wing Power Green Touch Program for Replacement of Plants and Construction of Gazebo.

Crow Wing Power has done a great job with this project. The Girl Scouts assisted the first two years of the project and the Boy Scouts will assist this year. Staff is asking Council to accept the donation and waive the building permit fee. On Sunday, May 18, the group will continue working on the project.

MOTION by Council Member Holman, seconded by Council Member Klein to accept the donation from Crow Wing Power Green Touch Project for replacement of plants and construction of gazebo. Motion carries unanimously.

COUNCIL COMMENTS

Jim Klein: Council Member Klein explained the Park Commission would like to get the process started.

Darrel Olson: Mayor Olson explained he received a call from a resident on Briarwood explaining he must drive across one section of a dirt road to get home. The Council briefly discussed the assessment process for this sparsely populated area. An immediate solution may be to apply calcium chloride. The Council discussed this could be a project to add to the Capital Improvement Plan. A meeting with the property owners could be held after the Council reviews the project costs. Mayor Olson explained he is very pleased with the work of the Park Commission. Mayor Olson thanked staff for extra effort the past few days. Mayor Olson announced the passing of Jim Oberstar and explained he was an asset to our region and to the City of Baxter.

Report on Annual Performance Evaluation of City Administrator.

Mayor Olson explained Council Member Holman would address this agenda item. Council Member Holman thanked staff for their efforts. The Council conducted the annual performance evaluation of the City Administrator on April 10, concluding on April 16. The Council explained Mr. Heitke exhibits solid proficiency in his work.

MOTION by Council Member Holman, seconded by Council Member Klein to accept the report on the annual performance evaluation of the city administration. Motion carries unanimously.

CITY ADMINISTRATOR'S REPORT

Staff provided an Isle Drive project schedule for construction in 2015. The project will be bid in early 2015.

MOTION by Council Member Moser, seconded by Council Member Klein to hold a Isle Drive informational meeting on June 2, 2014 at 6:00 p.m. Motion carries unanimously.

Council discussed holding a special council meeting on May 28 at 5:30 p.m. to complete the Capital Improvement Plan discussion.

CITY ATTORNEY'S REPORT

Closed Meeting under Minnesota Statute 13D.05, Subd. 3(c)(3) to develop an offer for the purchase of real property.

City Attorney Person explained the Council will be entering a closed session under Minnesota Statute 13D.05, Subd. 3(c)(3) to develop an offer for the purchase of real property. The parcels to be discussed are 6748 Woida Road, 6971 Woida Road, 7104 Woida Road, and 14981 Franklin Drive for easement agreements. Parcel 13412 Meredith Drive will be discussed for a non-user connection agreement.

MOTION by Council Member Klein, seconded by Council Member Moser to closed the meeting. Motion carries unanimously.

Mayor Olson resumed the regular meeting at 8:08 p.m.

MOTION by Council Member Moser, seconded by Council Member Holman to approve the settlement agreement for 13412 Meredith Drive. Motion carried unanimously.

MOTION by Council Member Klein, seconded by Council Member Holman to approve the easement agreement with 7104 Woida Road for \$1,874.00. Motion carried unanimously.

MOTION by Council Member Moser, seconded by Council Member Holman to approve the easement agreement with 14981 Franklin Drive for \$2,420.00. Motion carried unanimously.

ADJOURNMENT

MOTION by Council Member Moser, seconded by Council Member Holman to adjourn at 8:10 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator/Clerk