

**BAXTER CITY COUNCIL MINUTES**  
**June 19, 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, Police Chief Jim Exsted, Finance Director Jeremy Vacinek, and Community Development Director Josh Doty were present.

**3. Pledge of Allegiance**

All joined Mayor Darrel Olson in the Pledge of Allegiance

Mayor Olson offered his condolences to the family of former council member and mayor Gary Muehlhausen.

**4. Additions or Changes to the Agenda**

City Administrator Chapulis asked to remove consent agenda item K9 from approval as the item will be placed on a future July council meeting agenda. Staff recommends changing the proposed budget meeting from July 23 to July 24 as noted on agenda item 6J due to a conflict with the Parks and Trails and Long Range Commission meetings. The agenda item 8B resolution has been updated to reflect the removal of the MnDOT approval contingency as MnDOT has provided approval since the creation of the council packet. The RCA for agenda item 6F has been amended to include issuing a tobacco license to SuperAmerica, located on Edgewood Drive, contingent upon receipt of payment.

**MOTION** by Council Member Barrows, seconded by Council Member Holman to accept the changes to the agenda. Motion carried unanimously.

**5. Public Comments**

Tom Bercher, Lakeshore, asked the council to reconsider the improvement to Cedar Scenic Road. Mr. Bercher questioned the funding of the project and stated the roadway will need to be repaired before the proposed trail will have a connection.

Mayor Olson explained his response provided during the June 7, 2018 assessment hearing.

**6. Consent Agenda**

- A. Approve City Council Minutes from June 5, 2018
- B. Approve City Council Work Session Minutes from June 5, 2018
- C. Approve City Council Special Minutes from June 7, 2018
- D. Approve the Payment of Bills and Finance Report
- E. Accept with Gratitude a \$400 Donation from the Baxter Lions for the 2018 Lakes Area Triathlon
- F. Approve Tobacco Licenses for July 1, 2018 through June 30, 2019

- G. Appoint Election Judges for August 14, 2018 Primary Election and November 6, 2018 General Election
- H. Adopt Resolution 2018-048 Adopting Assessment for the 2018 Mill & Overlay and Full Depth Reclamation Improvement Project, Municipal Project No. 4418
- I. Adopt Resolution 2018-049 Accepting Bid for the 2018 Mill & Overlay and Full Depth Improvement Project, Municipal Improvement No. 4418
- J. Adopt 2019 Budget Calendar
- K. Accept Utilities Commission Minutes from June 6, 2018
  - 1. Accept the Sambatek Water Treatment Plant Iron Oxidation Report.
  - 2. Approve the KLM Engineering request to grant an exception allowing the contractor to work on Sundays from 9:00 a.m. to 7:00 p.m. due to any rain or wind delays
  - 3. Approve the Menards Incorporated Agreement for Development.
  - 4. Approve the Menards Incorporated Stormwater Facilities Maintenance Agreement.
  - 5. Approve the Bolton & Menk Proposal for Fee Amendment No. 2 for Final Design, RR Permit Assistance and Construction Services for the 2018 Lift Station No. 3 Re-route Improvements Project in the amount of \$16,963.00.
  - 6. Approve Pratt's Affordable Excavating, Inc. Partial Pay Estimate No. 3 in the amount of \$176,688.60 for the 2018 Excelsior Road and Edgewood Drive Commercial Improvements Project.
  - 7. Approve the Crow Wing Power New Electric Service No. 35393201 for the 2018 Excelsior Road and Edgewood Drive Stormwater Lift Station No. 1 in the amount of \$100.00.
  - 8. Approve the Crow Wing Power New Electric Service No. 35393501 for the 2018 Excelsior Road and Edgewood Drive Roundabout Lighting Cabinet in the amount of \$100.00.
  - 9. Approve Option No. 1 to remove the peat layer but reduce the roadway from 40 feet to a 26-foot wide finished roadway in an effort to keep the 2018 Mill & Overlay and Full Depth Reclamation Improvements Project on budget.
  - 10. Approve the WSN Agreement for Professional Engineering Services for 2020 Cypress Drive from College Road to Highland Scenic Drive Improvements Project in the not to exceed amount of \$14,750.00.
  - 11. Approve the WSN Agreement for Professional Engineering Services for the modifications to the 2019 Memorywood Drive Improvements Project Feasibility Report in the lump sum amount of \$2,700.00.
  - 12. Accept the Southeast Baxter Stormwater Outlet Feasibility Report.
- L. Accept Planning Commission Minutes from June 12, 2018
- M. Approve the 2017 Financial Statements and the 2017 BerganKDV Audit Report and Its Findings
- N. Approve Entering into the Minnesota Department of Health Source Water Protection Grant Agreement No. 142869
- O. Approval of Park and Recreation Joint Powers Budget for 2018-2019

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

## **7. Pulled Agenda Items**

Mayor Olson asked to pull Consent Agenda items H. and I. for further discussion.

Mayor Olson explained at the special assessment hearing he indicated there would be discussion tonight regarding the mill and overlay improvement project. City Administrator Chapulis explained staff recommends moving forward as proposed with the project.

**MOTION** by Council Member Holman, seconded by Council Member Barrows to adopt Resolution 2018-048 Adopting Assessment for the 2018 Mill & Overlay and Full Depth Reclamation Improvement Project, Municipal Project No. 4418, with future discussion of Cedar Scenic Road. Motion carried unanimously.

Mr. Rickert explained the Kidrowski assessment area has been reduced due to the Minnesota Power easement.

**MOTION** by Council Member Holman, seconded by Council Member Nystrom to Adopt Resolution 2018-049 Accepting Bid for the 2018 Mill & Overlay and Full Depth Improvement Project, Municipal Improvement No. 4418. Motion carried unanimously.

## **8. Other Business**

### **A. Planning and Zoning Actions**

#### **1. Adopt Resolution 2018-050 Approving a Conditional Use Permit and Variances to allow a drive-through use for Mid MN Federal Credit Union to be located at 8500 Fairview Rd.**

Community Development Director Doty explained the bank is proposing to demo the existing building to construct a new drive through bank. The conditions of the conditional use permit and variance were discussed. The architectural review can be approved administratively. The Utilities Commission and Planning and Zoning Commission have reviewed and recommended approval.

**MOTION** by Council Member Barrows, seconded by Council Member Nystrom to Adopt Resolution 2018-050 Approving a Conditional Use Permit and Variances to allow a drive-through use for Mid MN Federal Credit Union to be located at 8500 Fairview Road, subject to the facts and findings. Motion carried unanimously.

### **B. Consider Adoption of Resolution 2018-051 Accepting Bid for the 2018 Cypress Drive Improvement Project, Municipal Improvement Number 4027**

Scott Hedlund, consulting engineer with SEH, explained three bids were received and opened on June 4, 2018. The low bid was submitted by Landwehr Construction, Inc. of St. Cloud, Minnesota in the amount of \$9,302,941.75, which was within 2% of the engineer's estimate. Finance Director Vacinek summarized project funding changes to include increasing the proposed amount of sale tax funding, the receipt of additional state and federal money, and increasing the amount of proposed street collector funding. Finance Director Vacinek also explained funding for other proposed improvement projects. Mr. Hedlund explained all approvals from MnDOT have been received.

**MOTION** by Council Member Holman, seconded by Council Member Nystrom to Adopt Resolution 2018-051 Accepting Bid for the 2018 Cypress Drive Improvement Project, Municipal Improvement Number 4027. Motion carried unanimously.

**C. Consider Approval the SEH Professional Services Contract for Construction Phase Services for the 2018 Cypress Drive Improvements Project in the not to exceed amount of \$1,195,138.00.**

Mr. Hedlund explained the proposed agreement is for project management, special assessment hearing, construction administration, RPR observation, construction staking, and project closeout. There will be two full time construction observers for 2018.

**MOTION** by Council Member Holman, seconded by Council Member Barrows to approve the SEH Professional Services Contract for Construction Phase Services for the 2018 Cypress Drive Improvements Project in the not to exceed amount of \$1,195,138.00. Motion carried unanimously.

**9. Council Comments**

**Quinn Nystrom:** Council Member Nystrom explained she will be absent from the second council meeting in July.

**10. City Administrator's Report**

City Administrator Chapulis explained staff would like to hold the annual Night to Unite event on Tuesday, August 21 and move the council meeting to Wednesday, August 22. If acceptable to the council, staff will prepare for formal council action to be taken on July 3.

**11. City Attorney's Report**

None.

**12. Adjourn**

**MOTION** by Council Member Cross, seconded by Council Member Nystrom to adjourn at 8:17p.m. to the special meeting on June 7, 2018 at 6:00 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Kelly Steele  
Assistant City Administrator