

## **BAXTER CITY COUNCIL MINUTES**

**Work Session  
August 18, 2015**

Mayor Darrel Olson called the Work Session to order at 5:40 p.m.

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

COUNCIL MEMBERS ABSENT: Council Member Mark Cross

STAFF PRESENT: City Administrator Gordon Heitke, Community Development Director Josh Doty, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Police Chief Jim Exsted, and Public Works Director/City Engineer Trevor Walter

### **NIMS**

John Bowen, Crow Wing County Emergency Management Director, reviewed the Emergency Management Handbook for Government Officials. The handbook provides a general overview of emergency management to augment understanding of the local response procedures. In an emergency, the responsibility of the council is to be informed of the situation. Bridges of Hope provided the community with assistance after the July storm. Tim Holms, City of Brainerd Fire Chief, explained the importance of a coordinated unified public message after a storm event. Mr. Bowen explained outdoor warning sirens are activated with a thunderstorm that has sustained wind speeds of 72 MPH. Chief Exsted explained the important part is for the Council to understand is the complexity of the National Incident Management System (“NIMS”).

### **North Water Tower Staging/Storage request from Borden Excavating for the Crow Wing County, Inglewood Drive North Improvement Project**

The Council returned to the Work Session at 5:50 p.m.

City Administrator Heitke explained staff is requesting direction for the Council regarding the use of the North Water Tower Site, including and in addition to the request of Borden Excavating for the storage of equipment and materials from the Crow Wing County Inglewood Drive Project. Use of the property that have recently occurred and can be expected to continue to occur can be described as three types of uses. An example of using this site because of a public project is the Borden Excavating request. The site was opened to Baxter residents last August for the disposal of trees and limbs resulting from a storm. Since the site is unsecured, trees and limbs continued to be dropped off this spring and summer. The City recently advertised the site being available as a disposal site for debris from the July storm. Due to the presence of debris still remaining on some properties and because residents have become aware

of and accustomed to being able to dispose of trees and limbs at the site, staff expects the public to continue to use the site on an ongoing basis unless it is secured. Staff has made arrangements with a business to chip and remove the wood debris for the value of the product, with no cost to the City.

Staff is seeking direction if the site should be closed and secured and only opened for the disposal of storm debris as needed; should the site remain unsecured with the expectation that there will continue to be some unauthorized disposal of trees and limbs because it is unsecured; and should the site be designated a tree and limb disposal site and be open year round with the intention of the wood being chipped at least annually at no cost to the City?

Recently a manufactured home was parked on the site in preparation of being placed on a Baxter lot. A different home dealer is planning to do the same in the near future. Staff has two primary concerns regarding the private use of the site. Is the Council agreeable to the use of the public site for the conduct of private business activities? Liability exposure to the City needs to be addressed should there be damage or loss of private property or injury to someone because of the private property being placed there. If the Council chooses to allow for the use of the site for private business purposes, staff recommends the City's insurance provider advise the City on the insurance coverage that should be required of any business using the site.

At this time, a decision is needed on the Borden Excavating request. If there is no direction at this time on the tree and limb disposal use, the site will remain closed as of Monday, August 17 as previously noticed, but will be unsecured. If there is no Council direction at this time or staff action taken on the private use issue, another house will soon be temporarily parked on the site in preparation of being placed on a Baxter lot. If any of these uses are to be allowed on the site, it should be determined if each case is to be approved administratively or whether Council action will be required.

The Council consensus was the use of the site for a public purpose is acceptable but is not acceptable for a private use.

### **Fall Leaves Disposal Site**

City Administrator Heitke explained in the past the Council has discussed cooperating with the Northland Arboretum to have their site as the primary leaf disposal site for the City of Baxter for reasons of convenience. The Council chose not to make such a change while Excelsior Road was under construction. Historically, the fall leaf disposal period can begin as early as the last week of September, however, if there are delays due to weather, etc., there is not absolute assurance Excelsior Road will be open on the date that was previously publicized for leaves to be dropped off. To avoid any possibility of a conflict of the road not being open with the beginning of the leaf disposal period, staff recommends Hengel's be used as the fall leaf disposal site. Even though the City is remaining with Hengel's, there is nothing preventing residents from disposing of leaves at the Northland Arboretum.

The Council consensus was to continue using Hengel's for the fall leaf disposal site.

## **SEH Contract Fee Amendment for 2015 Mill and Overlay Project**

Scott Hedlund, SEH, explained the approved feasibility report included full depth reclamation on Glory Road and Elder Drive. The RFP called for a mill and overlay on these road. The TH 371/Glory Road and Elder Drive/Glory Road intersections have existing traffic signals. Full depth reclamation on Glory Road and Elder Drive necessitates modifications to both traffic signal systems. These modifications would not be necessary with a mill and overlay project. The associated signal design and construction engineering was not figured into the original scope and results in requested contract increase of \$7,950.

Mr. Hedlund is requesting the City reimburse SEH \$750 for the BNSF permit.

The original project scope assumed five weeks of construction. The current anticipated construction duration is ten weeks based on the construction contractor's recently submitted schedule. The additional construction administration and observation work was not figured into the original contract and results in a requested contract increase of \$66,869.

These additions increase the original SEH contract from \$129,104 to \$204,673.

Mayor Olson explained the Utilities Commission was in agreement the project scope has changed. Approval of the contract fee amendment is on the regular council agenda.

## **Dellwood Drive, Novotny Road, Inglewood Drive, and Independence Road Project Bids Presentation**

Aric Welch, WSN, explained project bids were opened last week. Four bids were received with R.L. Larson being the apparent low bidder. The project is looking good from a cost standpoint and a 5% contingency has been built into the project. After reviewing bids, the Inglewood Drive portion of the project came in higher than estimated. Mr. Welch explained he is stilling waiting for the Corp permit. Easements for the project will be discussed in a closed session of the regular council meeting. The construction contract will be awarded before the assessment hearing.

## **Adjournment**

**MOTION** by Council Member Barrows, seconded by Council Member Holman to adjourn at 7:00 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

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Darrel Olson  
Mayor

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Kelly Steele  
Assistant City Administrator/Clerk