

**BAXTER CITY COUNCIL MINUTES**  
**September 4, 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 Steve Barrows, Todd Holman, and Mark Cross were present. Council Member Quinn Nystrom was absent.

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

**3. Pledge of Allegiance**

All joined Mayor Darrel Olson in the Pledge of Allegiance

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

City Administrator Chapulis asked to add Closed Session Under Minnesota Statute 13D.05, subd. 3 (b), Attorney-Client Privilege and Closed Session, Minnesota Statute 13D.03, subd. 1 (b), Labor Negotiations to the agenda.

**5. Public Comments**

None.

**6. Consent Agenda**

- A. Approve City Council Minutes from August 22, 2018
- B. Approve City Council Work Session Minutes from August 22, 2018
- C. Approve the Payment of Bills and Finance Report
- D. Accept Architectural Commission meeting minutes from August 20, 2018
- E. Approve Transfer of \$2,500 From Drug Forfeiture Fund to Purchase Rifle Equipment
- F. Approve Special Event Permit for Walk A Mile In Her Shoes Event September 22, 2018
- G. Approve the Hengel Ready Mix and Construction, Inc. Quote for 2018 Site Demolition and Restoration Project at 4445 State Highway 210 in the not to exceed amount of \$36,500.00
- H. Approve Resolution No. 2018-070 for Agreement to State Transportation Fund (Local Road Improvement Program) Grant Terms and Conditions, S.P. 230-113-004, Reconstruction of Cypress Drive from College Road to Excelsior Road and said LRIP Grant Agreement
- I. Approve the Mid-Minnesota Federal Credit Union Stormwater Maintenance Facilities Agreement
- J. Award professional services contract to The Conservation Fund to coordinate the acquisition of the 200-acre LCCMR grant and Department of Defense property funded property that is intended for City ownership with professional services to be paid from the grant funding

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

## **7. Pulled Agenda Items**

None.

## **8. Other Business**

### **A. Approve 2018 Baxter Hunting Map**

Chief Exsted explained staff is looking to make amendments to the City Hunting Map for 2018. The map ties directly in with the city hunting ordinance and we do a yearly review of the map. If changes are warranted the request is then made to the council for the amendments.

Initially in reviewing the 2018 Hunting Map staff did not wish to make changes. Specific requests were then brought to city staff by a resident and a review of those requests was started. Five specific areas were requested to be changed from no hunting into bow hunting permitted areas. Results of the staff review were then presented to the Long Range Planning Commission on July 23<sup>rd</sup>.

The Long Range Planning Commission (LRPC) did review the recommended changes for 2018 and made motions regarding the five specific areas that were brought before them.

Site Area One is located off Memorywood Dr. to the west of White Sand Lake. It is the area outlined in blue above which consists of about 7 acres. The owners of the properties are James and Judith Hartman and Nancy and Kevin Reinke.

Generally, the city has tried to be consistent in the mapping by either expanding or reducing the map in areas that are adjacent to current allowed hunting areas. There have been a few deviations from that when the new tract of land is larger. This small tract would not be consistent with that past practice.

Staff is not supportive of adding this property to the Archery Only areas within the City of Baxter due to it being too narrow and surrounded by residential development.

The LRPC did review this area and heard testimony from a Justin Barrick who was in support of the change and was also the individual requesting the change. After lengthy discussion on this specific area the LRPC made a motion in which they directed letters of support be obtained from all neighbors and a hunting management plan be submitted to staff.

Staff is now in receipt of 25 letters of support with signatures of neighbors who are in support of the hunting change to allow bow hunting. Additionally, staff is in receipt of the hunting management plan for this specific area. It does appear that all but one of the properties immediately adjacent to this area has submitted a signed letter in support. These letters were all obtained by and provided to the City by Mr. Barrick.

Site Area Two is located between HWY 210 and Perch Lake just west of the John Deer Implement Dealer. The subject property is approximately 14 acres and is a mix of wooded, open, and marsh land with Perch Lake forming a portion of the southern boundary. The

property is surrounded by open/vacant property with commercial properties on the northern border.

Staff is supportive of making this change to the map. LRPC was also in support of this change to the map.

Since the LRPC meeting staff has been provided with two letters from adjacent property owners in this area supporting the change. Additionally, one of the property owners, Steven Rehnblom, has requested to add two properties he owns immediately north and west of this proposed change area to the Archery Only hunting zone. That would bring the total area of this tract of land to roughly 27 acres.

Site Area Three is City-owned property designated as open space parkland encompassing approximately 52 acres of wooded and marsh land. There is a trail in the southern portion of this area that connects Grand Oaks Drive to Inglewood Drive. The property is surrounded with residential development consisting of medium and high-density residential development on the east side of the property and single family residential around the rest of the property. A buffer area of wetland separates the proposed area from the residential development on the south side.

Staff is not supportive of this request due to the residential development around the property and the trail running through the south end of the proposed area. Additionally, the City's policy regarding city-owned property has been to not allow any hunting.

LRPC recommended denial of this proposed change.

Site Area Four is an approximately 16 acres of city-owned property which lies west of Inglewood Drive and north of HWY 210. While almost completely covered with wetland that is part of the City's storm water ponding system, there is a narrow draw of wooded upland on the west side of this property. There are two churches bordering this property, one to the north and one to the west. Single family residential development is present on the east side and the northwest corner with HWY 210 forming the southern border.

While archery only on this property would potentially help in the overall management of deer staff is not supportive of this change in this area due to the potential dangers it would cause to neighboring properties. Both churches butt up against the proposed area and the church to the north was recently approved for a pre-school use with a playground near the north edge of the proposed area. Staff is also reluctant to start to manage specific game to be harvested in certain zones. Staff would recommend leaving this zone as is.

LRPC motion was for no support for this tract of land to change.

Site Area five is divided into two separate areas (5A to the north and 5B to the south). The southern portion (5B) is located on land owned by Crow Wing County. Crow Wing County has a long-term lease with Camp Vanasek. Two years ago, the City amended the hunting map for no hunting on the property based on a letter the City received from Camp Vanasek, which requested a no hunting designation for the entire 88 acres. Staff notes

that Crow Wing County has requested that this entire 88 acres go back to a bow hunting designation as it was previous.

Last year, this area was re-evaluated for bow hunting. At that time staff indicated that if Crow Wing County would like hunting on the property, the City would need to re-evaluate the matter and that City staff is in support of bow hunting on this property provided that public safety has been considered. At this time, staff does not feel the County has adequately addressed the safety concerns with Camp Vanasek of having children camping on the property during hunting season and is therefore recommending it remain as no hunting.

The northern section of this area (5A) consists of the north half of the Whipple Beach Recreation Area and is owned by the City. This area is approximately 9 acres in size and is bordered by single family residential on the north and east side with Whipple Lake to the west. Staff is not supportive of the area going to bow hunting to remain consistent with the no hunting on city property that has been established.

LRPC motioned for more work between the county and camp to see if a disclaimer or a special hunting time frame with all the parties involved. To date staff is not in receipt of any communications indicating the camp and county have met to specifically discuss.

Staff is recommending no changes to this area.

Justin Barrick, 4897 Oak Street, presented a PowerPoint presentation to support his request to change the hunting map.

Chief Exsted explained the city has not received complaints on the current hunting zones and does not want this discussion to turn this into a deer management issue as the city does not have professional in this area.

Lon Schmidt explained his property is located on the southern edge of the parcel and he would agree to be the gate keeper of the area.

The City is in the process of acquiring several other large parcels of land that could be considered for hunting opportunities. Changing the hunting map could be considered as spot zoning.

**MOTION** by Council Member Holman, seconded by Council Member Barrows to allow archery hunting on parcel 1 and parcel 2 as recommended by the Long Range Planning Commission and continue the discussion on the remaining parcels. Motion carried unanimously.

## **9. Council Comments**

**Steve Barrows:** Council Member Barrows recognized Aaron Stopel for being named to the Minnesota Youth Council. Nate Globe, at the LMC policy committee meeting, spoke very highly of Chief Exsted.

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

**10. City Administrator's Report**

City Administrator Chapulis

**11. City Attorney's Report**

**A. Closed Session Under Minnesota Statute 13D.05, subd. 3 (b), Attorney-Client Privilege**

**B. Closed Session, Minnesota Statute 13D.03, subd. 1 (b), Labor Negotiations**

City Attorney Person asked the council to enter into a closed session under Minnesota Statute 13D.05, subd. 3 (b) and 13D.03, subd. 1 (b).

**MOTION** by Council Member Barrows, seconded by Council Member Cross to enter into a closed session at 7:55 p.m. Motion carried unanimously.

The Council returned to an open session at 8:23 p.m.

**MOTION** by Council Member Cross, seconded by Council Member Barrows to accept the final settlement agreement with Avalanche Properties, LLC. Motion carried unanimously.

Mayor Olson explained the Council received an update on union negotiations and no action would be taken.

**12. Adjourn**

**MOTION** by Council Member Barrows seconded by Council Member Cross to adjourn at 8:24 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