

**BAXTER CITY COUNCIL MINUTES**  
**September 16, 2014**

Mayor Darrel 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:** Mayor Darrel Olson and Council Members Rob Moser, Mark Cross, Todd Holman, and Jim Klein.

**STAFF PRESENT:** Assistant City Administrator Kelly Steele, Consulting City Engineer Aric Welch, Finance Director Jeremy Vacinek, Community Development Director Josh Doty, Sargent David Timm, and City Attorney Brad Person.

**CONSENT AGENDA**

- A. Approve City Council Minutes from September 2, 2014
- B. Approve City Council Work Session Minutes from September 2, 2014
- C. Approve Architectural Review Commission Meeting Minutes from September 4, 2014
- D. Approve City Council Special Meeting Minutes from September 9, 2014
- E. Approve Planning and Zoning Meeting Minutes from September 9, 2014
- F. Approve the Payment of Bills and Finance Report
- G. Accept Utilities Commission Minutes of September 3, 2014
  - 1. Approve the Pratt's Affordable Excavating Partial Pay Estimate No. 2 in the amount of \$260,159.19 for the Wildflower Drive, Franklin Drive and Woida Road Improvements Project
- H. Adopt Resolution No. 2014-78 Setting the Preliminary 2015 Property Tax Levy at \$5,601,900
- I. Adopt Resolution No. 2014-79 Approving the Preliminary 2015 Governmental Funds Budget
- J. Set the Public Information Meeting to Review the 2015 Budget and Levy with Public Testimony for Tuesday, November 25, 2014 at 6:00 p.m.
- K. Accept \$6,692.31 donation from USPCA Region XII Inc. to the Baxter Canine Program
- L. Approve WSN Agreement for Professional Engineering and Land Surveying Services Isle Drive Extension Wetland Delineation and Topographic Survey
- M. Approve WSN Proposal for Engineering Services for Eagle Drive Area Feasibility Study Update

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

**OTHER BUSINESS**

**Planning & Zoning Actions.**

**Adopt Resolution No. 2014-80 Approving Variance to allow the construction of a warehouse building with a 1:12 roof pitch, where 6:12 is the minimum roof pitch required by the zoning ordinance for Simonson Lumber located at 3855 independence Road**

Community Development Director Doty explained the applicant, Simonson Lumber Company, is requesting a variance for the construction of a building with a 1:12 roof pitch. The zoning ordinance

permits a roof pitch between 3:12 and 6:12, with review by the Architectural Review Commission and approval by the City Council. The zoning ordinance does not allow a roof pitch to be less than 3:12, unless it is a flat roof. The applicant is requesting the variance for the ability to match the roof pitch of the other buildings located on the property. Community Development Director Doty further explained the Architectural Review Commission recommended approval, provided the applicant uses architectural metal on the front elevation and the front entrance is moved to the middle of the north elevation. In 2014, the city approved the plat, called Potlatch Addition to Baxter. The approval included roof pitches of 3:12 and 6:12. The Planning and Zoning Commission recommended approval of tonight's request, subject to strengthening the language in the resolution to ensure the applicant will complete the construction of an addition to the subject building for office space within seven years. The future addition would be constructed onto the front of the proposed warehouse and would be required to meet the minimum roof pitch requirements of the ordinance.

**MOTION** by Council Member Cross, seconded by Council Member Klein to adopt Resolution No. 2014-80 Approving Variance to allow the construction of a warehouse building with a 1:12 roof pitch, where 6:12 is the minimum roof pitch required by the zoning ordinance for Simonson Lumber located at 3855 independence Road. Motion carried unanimously.

**Adopt Resolution No. 2014-81 Revising Resolution 2014-65 for a Conditional Use Permit for Planned Unit Development amendment for "Second Addition to MacDonald Acres" to allow the consolidation of two unit lots into one unit lot for property located at 14540 Jewelwood Drive**

Community Development Director Doty explained the application to allow two duplex units to be consolidated into one lot has been previously approved by the Council. The applicant is requesting an amendment to the homeowner's association documents to state the property owners of the previously approved single-family lot would pay 8.8% of the common expenses of the homeowners association and the remaining property owners would pay 7.6% of the common expenses of the homeowners association. The applicant explained there would be fewer driveways, resulting in less maintenance costs, and more common area. The Council discussed their previous concerns with existing property owners having to pay more common costs due to fewer lots. The applicant explained the current property owners support the change. The original homeowner's association agreement stated the property owners would be paying 7.1% of the common costs, under the proposal they would be paying 7.6%. Community Development Director Doty explained the city would not release the plat until all property owners have signed off on the change.

**MOTION** by Council Member Moser, seconded by Council Member Klein to Adopt Resolution No. 2014-81 Revising Resolution 2014-65 for a Conditional Use Permit for Planned Unit Development amendment for "Second Addition to MacDonald Acres" to allow the consolidation of two unit lots into one unit lot for property located at 14540 Jewelwood Drive, with the requirement that all existing property owners to sign off on the proposal. Motion carried unanimously.

**Approve DeChantal Excavating, Inc. Change Order No. 1 for the Falcon Drive Improvement Project**

Consulting Engineer Welch explained a late start date has prevented the contractor from completing the work according the term of the current contract. Consulting Engineer Welch also explained the City is working with the utility companies to relocate their services. The goal remains to have the project completed for the grand opening of McDermott's.

**MOTION** by Council Member Cross, seconded by Council Member Moser to approve the DeChantal Excavating, Inc. Change Order No. 1 for the Falcon Drive Improvement Project. Motion carried unanimously.

**COUNCIL COMMENTS**

**Darrel Olson:** Mayor Olson thanked everyone for his or her work this past year on Riverview Park.

**Jim Klein:** Council Member Klein asked for an update on the Woida project. Consulting Engineer Welch explained the sewer has been installed on Wildflower Drive and Franklin Drive and the contractor may start paving next week. The project is on schedule, but the schedule is tight. Consulting Engineer Welch further explained he is still concerned with moving the utilities, but so far, all companies are cooperating. In one month, Consulting Engineer Welch will have a better idea of the construction of the trail. Council Member Klein inquired the reason for not mowing around the Cedar Scenic and Memorywood Drive lift station. Mayor Olson explained this area has not been mowed in the past because the area forested with many young trees. The consensus of the Council was to look at the area in question for discussion at a future Council meeting.

**ADJOURNMENT**

**MOTION** by Council Member Cross, seconded by Council Member Moser to adjourn at 7:27 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/Clerk