



MEMO

Date: July 1, 2015
To: **Baxter City Council**
From: Aric Welch
Cc: Trevor Walter
Gordon Heitke
Project Name: Dellwood Drive and Novotny Road Improvements
Project No.: 0102B0274.000
Subject: **Project Update**

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Summary of Work Completed Since Last Update

The Audubon Way watermain loop has been added as a bid alternate and plans are nearly 100% complete. We are currently working with the Crow Wing County Highway Department to finalize the alignment and complete revisions necessary to accommodate the bypass lane at the Dellwood Drive and Novotny Road Intersection.

Easements

To date 6 of the 12 right-of-way easements have been obtained from the abutting property owners. An agreement was made with two of the remaining property owners to turn back existing City road right-of-way located along the east side of TH 371 in exchange for the easements on Dellwood Drive. MnDOT has reviewed the potential right-of-way vacation and expressed concern. MnDOT believes this property should never have been turned back to the City and said the majority of the property should become TH 371 right-of-way. We are working with the City attorney to modify the vacation documents and agreements in accordance with the MnDOT request.

The easement documents for the Audubon Way watermain loop have been prepared and are ready for signature. We are waiting for the appraisals before presenting the offers. We anticipate the appraisals we be completed by the July 10, 2015.

Permits and Approvals

Wetland Fill Permit has been approved and signed by the LGU. The application for withdrawal of Local Road Replacement credits has been prepared and is ready for submittal once the United States Army Corps of Engineers (USACE) permit is issued. Corps staff has expressed concern with the clearing of trees on the project and potential impacts to the long eared bat. WSN has provided the Corps with an approximate tree count and is waiting for further direction from the Corps. Worst case the Corps could hold issuance of the permit until October; however, we anticipate the permit will be issued based on a "may affect but unlikely to adversely affect determination" which requires consultation with the United States Fish and Wildlife Service.

Plans will be submitted for State Aid review and approval when design coordination with County is complete. We anticipate plans will be submitted the week of July 6, 2015.

Project Schedule

The current schedule is dependent on the USACE permit and State Aid plan approval. We do not recommend proceeding with bidding the project until the USACE permit has been obtained. Completion of the project in 2015 may be in jeopardy if the USACE permit is held up by the long eared bat issue. We should have a better idea on the status of the permit and overall project schedule by the second Council meeting in July.