



BAXTER CITY COUNCIL AGENDA

Tuesday, July 5, 2016

The regular meeting of the Baxter City Council will be held on Tuesday, July 5, 2016 at 7:00 p.m. at the Baxter City Hall, 13190 Memorywood Dr., Baxter, MN.

1. Call Meeting to Order

2. Roll Call

3. Pledge of Allegiance

4. Public Comments

Comments received from the public may be placed on a future meeting agenda for consideration.

5. Consent Agenda

The following items are considered non-controversial by staff and are recommended to be read and passed in one motion. Any council person, staff, citizen, or meeting attendee can request one or more items be pulled from the Consent Agenda and the item will be pulled and addressed immediately after the passage of the Consent Agenda; otherwise, the following items will be passed in one motion:

- A. Approve City Council Minutes from June 21, 2016 (pp. 3-5).
- B. Approve City Council Work Session Minutes from June 21, 2016 (pp. 6-7).
- C. Approve City Council Special Minutes from June 29, 2016 (pp. 8-13).
- D. Approve Parks and Trails Commission Minutes from June 27, 2016 (pp. 14-17).
- E. Approve Long Range Planning Commission Minutes from June 27, 2016 (pp. 18-19).
- F. Approve the Payment of Bills and Finance Report (pp. 20-21).
- G. Approve the \$3,500 Purchase of Night Vision System with Proceeds from the Drug Forfeiture Fund (pp. 22).
- H. Approve the \$4,500 Purchase of Less Lethal Weapons Systems with Proceeds from the Drug Forfeiture Fund (pp. 23).
- I. Approve Appointment Election Judges for the August 9, 2016 Primary Election and November 8, 2016 General Election (pp. 25-27).

- J. Approve Baxter Park and Rec Joint Powers Budget for 2016-2017 (pp. 28-29).
- K. Accept with Gratitude a \$350 Donation from the Baxter Lions Club for the 2016 Lakes Area Triathlon (pp. 30).
- L. Accept with Gratitude the Donations for the Oscar Kristofferson Park Pavilion Grand Opening Event and Associated Expenditures for the Event (pg. 31).
- M. Adopt Ordinance No. 2016-038 and Summary Ordinance No. 2016-039, An Ordinance Amending Title 8-1-8 of the Baxter City Code Providing for a Radio Read Meter System and an Alternate Meter System Option (pp. 32-35).
- N. Approve Oscar Kristofferson Park Picnic Pavilion Construction Contract Extension Request (pp. 36-37).
- O. Approve City staff assisting the Baxter Baseball Association with hosting the 2016 9-U Cal Ripken State Baseball Tournament at Oscar Kristofferson Park at an estimated cost of \$3,152.00 plus equipment and extra trash disposal (pp. 38-39).

6. Pulled Agenda Items

7. Other Business

- A. Consider Selecting City Administrator Finalist Candidates and Discuss Interview Process (no attachment).

8. Council Comments

- A. Quinn Nystrom
- B. Steve Barrows
- C. Todd Holman
- D. Mark Cross
- E. Darrel Olson

8. City Administrator's Report

9. City Attorney's Report

10. Adjourn to Special Council Meeting at 6:00 p.m. on Thursday, July 7, 2016

BAXTER CITY COUNCIL MINUTES
June 21, 2016

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.

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

COUNCIL MEMBERS ABSENT: None.

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

PUBLIC COMMENTS

No public comments were received.

CONSENT AGENDA

- A. Approve City Council Minutes from June 7, 2016.
- B. Approve City Council Work Session Minutes from June 7, 2016.
- C. Approve City Council Special Minutes from June 13, 2016.
- D. Approve Planning & Zoning Commission Minutes from June 14, 2016.
- E. Approve the Payment of Bills and Finance Report.
- F. Approve the 2015 Financial Statements and the 2015 CliftonLarsonAllen Audit Report and Its Findings.
- G. Accept Utilities Commission Minutes from June 8, 2016.
 1. Approve the WSB Feasibility Study Proposal for the 2016 Elder Drive & Glory Road Improvements in the not to exceed amount of \$7,500.00.
 2. Approve the Oakwood Drive bike and pedestrian trail crossing location.
 3. Approve the Anderson Brothers Partial Pay Estimate No. 5 in the amount of \$311,216.19 for the 2015 Mill and Overlay Improvements Project.
 4. Approve the SEH, Inc. Agreement for Professional Services for the 2016 Fairview Road Improvements Project for Construction Services in the estimated amount of \$97,106.00.
 5. Approve the R. L. Larson Excavating Partial Pay Estimate No. 6 in the amount of \$118,619.48 for the 2015 Dellwood Drive & Novotny Road, Inglewood Drive and Independence Road Improvements Project.
 6. Move the construction of the troughs for the Water Treatment Plant filters to 2018 and start budgeting for the design and bidding of the troughs in 2017.
 7. Approve the 14639 Grand Oaks Drive Street Right-of-Way Limited Use Agreement.
 8. Approve the 13760 Bluestem Court Street Right-of-Way Limited Use Agreement Amendment.
 9. Accept the Exit Lakes Realty Improvements Project and release the Anderson Brothers Performance Bid Bond No. 41BCSGP3049.
 10. Accept the Aldi's Improvement Project and release the Irrevocable Letter of Credit No. SLC304103.
- H. Adopt Assessment Agreement for Lot 2, Block 3 Woodland Acres.

- I. Adopt Resolution 2016-060 Adopting Assessments for the 2016 Mill and Overlay, Full Depth Reclamation, and Turn Lane Improvement Project.
- J. Adopt Resolution 2016-061 Accepting Bid for the 2016 Mill and Overlay, Full Depth Reclamation, and Turn Lane Improvement Project.
- K. Approve Tobacco Licenses for the Period July 1, 2016 through June 30, 2017.
- L. Approve Temporary On-Sale Liquor License for the Northland Arboretum's Event on July 20, 2016.

MOTION by Council Member Holman, seconded by Council Member Cross to approve the Consent Agenda. Council Member Holman abstained from item I and J. Motion carried unanimously.

PLANNING AND ZONING ACTIONS

Adopt Ordinance No. 2016-035, Summary Ordinance No. 2016-036 and Findings of Fact Resolution 2016-062 approving an ordinance amendment to allow a new zoning district named CI, Annexed Commercial Industrial and zoning amendments to establish zoning for the recently annexed land into the city located on the East and West sides of Inglewood Drive, between Pine Beach Road and Woida Road.

Community Development Director Doty explained the establishment of zoning in the area and creation of a new zoning district. Mr. Doty summarized the background of the public process completed to date.

Mr. Doty reviewed the zoning request letter that from the June 14th Planning & Zoning meeting and would like to have read at this council meeting. The letter was from Tom Bercher and Option Two does follow Mr. Bercher's request.

MOTION by Council Member Nystrom, seconded by Council Member Cross to adopt Ordinance No. 2016-035, Summary Ordinance No. 2016-036 and Findings of Fact Resolution 2016-062 approving an ordinance amendment to allow a new zoning district named CI, Annexed Commercial Industrial and zoning amendments to establish zoning for the recently annexed land into the city located on the East and West sides of Inglewood Drive, between Pine Beach Road and Woida Road. Motion carried unanimously.

Adopt ordinance No. 2016-037 amending the City's official zoning map from R-1 (Low Density Residential) to PUD (Planned Unit Development) and Resolution 2016-063 approving a PUD general plan to allow "Baxter House Kids Resiliency Program", a kids learning center/training program located at 13401 Birch Drive.

Community Development Director Doty explained Lutheran Social Services is requesting the rezoning and PUD general plan to allow a kids resiliency program serving up to 12 children ages 10 to 14 as a principal use for property.

The property is currently zoned R-1, which does not allow a kids' resiliency program. A rezoning is therefore required to allow the use. Staff found that the request is consistent with the comprehensive plan and the zoning district. There is adequate infrastructure and enough buffer to support the rezoning.

The program will serve 10-12 children from ages 10-14 years old. Transportation of children to and from the site will be provided for by Lutheran Social Services via a 12 passenger van. The van, along with three to four staff members, will be the only parking needs for the proposed use. During the

school year, the program will operate from 3 p.m. to 7 p.m. During the summer, the program will operate from 12 p.m. to 4 p.m.

Mr. Doty stated Planning & Zoning recommends approval with conditions.

MOTION by Council Member Barrows, seconded by Council Member Nystrom to adopt ordinance No. 2016-037 amending the City's official zoning map from R-1 (Low Density Residential) to PUD (Planned Unit Development) and Resolution 2016-063 approving a PUD general plan to allow "Baxter House Kids Resiliency Program", a kids learning center/training program located at 13401 Birch Drive. Motion carried unanimously.

COUNCIL COMMENTS

Steve Barrows: Complemented the finance department on the audit and he appreciates everything they have done to keep us in order. He toured areas impacted by the recent storm and for the record stated that emergency services, power companies and law enforcement have done a great job.

Darrel Olson: Received a phone call last week from a business owner on T.H. 371 about the mowing on the highway. He checked to see who is responsible for right-of-way. MNDOT said they would start a week ago, but with budget constraints, MNDOT will only be mowing twice this season.

The City of Baxter has always mowed our right-of-way since we have a lot of pride in our City and we have been mowing a lot of right-of-way that is not our responsibility.

Todd Holman: Submitted trip report on the League of Minnesota Cities conference. The conference was very well put together and would like all council members to have a chance to attend.

Mark Cross: Asked everyone to be safe at 4th of July and hopes to see everyone at the parade and fireworks.

CITY ADMINISTRATOR'S REPORT

Interim Administrator Steele requested direction on a start time for the Oscar Kristofferson Park Grand Opening and music event on July 20, 2016.

MOTION by Council Member Cross, seconded Council Member Barrows to set the start time for the Oscar Kristofferson Park Grand Opening and music event at 6:00 p.m. Motion carried unanimously.

The council discussed changing city administrator interview dates to Thursday, July 28th and Friday, July 29th. Mayor Olson will contact Mr. Weirs to confirm times.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn the meeting at 7:30 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Mary Haugen
Administrative Assistant

BAXTER CITY COUNCIL MINUTES
Work Session
June 21, 2016

Mayor Darrel Olson called the Work Session to order at 6:30 p.m.

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

COUNCIL MEMBERS ABSENT: None

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

MISSISSIPPI RIVER OVERLOOK PARK CLOSING TIME/CAMPING

Chief Exsted explained that officers have been conducting patrols at Mississippi River Overlook Park. On these patrols, officers have found individuals setting up camping equipment for the evening, some members of these camping groups are underage and alcohol has been involved. These individuals have received citations and were removed from the park.

As per City ordinance, Mississippi River Overlook closes at 10:00 at p.m. Mayor Olson inquired how officers respond to the park location calls. Chief Exsted stated the officers drive out to the park site.

Chief Exsted inquired what is the vision the City Council has for this park and does an ordinance amendment need to be considered. Since this is a Minnesota Department of Natural Resources designated canoe campsite, the City will need to continue to allow canoeist to camp in the park.

Consensus of the council was to install two sets of no motorized vehicle and park regulations signs at the beginning of the wood chip trail on Oakdale Road and the walking trail to the canoe landing and park. Changes to the ordinance could be made if the police department felt it was a necessity.

The council requested the officers increase the frequency of checking on this park.

EMPLOYEE INSURANCE ELECTIONS

Interim Administrator Steele requested council direction regarding the ability of former employees to elect changes to health or dental coverage upon termination or retirement. Specifically to allow a former employee to make changes to add coverage for a spouse or children not originally covered on the City's insurance prior to termination or retirement.

COBRA is very specific terms on the regulations of an employee to continue insurance coverage upon termination or retirement. Retired employees can remain on the City's insurance indefinitely but must pay 100% of the insurance premium. The ability to allow a terminated or retired employee the ability to add coverage for a spouse or children not originally covered by the City's insurance

prior to termination or retirement is not addressed in COBRA and is a policy decision of the City. Increasing the number of people participating in the City’s insurance pool could affect future rates paid by both the City and current employees.

Council Member Barrows stated his experience has been the when a person retires they retire with the benefits that are in force at that time. The concern is when people start adding to the policy, generally in the older years, the potential then is to raise the fees to the current group of employees.

Council Member Holman stated he was in agreement the employee leaves with what they have as the benefit; it adds a lot of complicated unknowns which does have an effect on the employee base and long term costs. Council Member Holman felt this matter was important to clarify in the personnel policy.

Staff will propose an amendment for council consideration at the July 5th council meeting.

OTHER BUSINESS

Public Works Director/City Engineer Walter discussed parks staff installing a gate at Mississippi River Overlook Park. Staff will work with the church regarding this matter if warranted.

ADJOURNMENT

MOTION by Council Member Nystrom, seconded by Council Member Cross to adjourn at 6:48 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Mary Haugen
Administrative Assistant

BAXTER CITY COUNCIL MINUTES
Special Meeting
June 29, 2016

Mayor Darrel Olson called the Special City Council Meeting to order at 6:00 p.m.

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

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Interim City Administrator Kelly Steele, Community Development Director Josh Doty, Chief of Police Jim Exsted, and Public Works Director/City Engineer Trevor Walter.

REQUEST BY THE CITY OF BRAINERD TO ANNEX THE WASTEWATER TREATMENT PLANT PROPERTY

Mayor Olson gave an introduction on the request by the City of Brainerd to annex the Wastewater Treatment Plant Property and the discussions that have been held between both cities over the past year. The City of Baxter has a 1/3 share of ownership in the Wastewater Treatment Plant and fees have been paid for that ownership.

Community Development Director Doty summarized the conditional use permit conditions from the original construction. One of the conditions requires that future expansions to the facility will require an amendment to the existing Conditional Use Permit (CUP). However, if the property would be annexed into the City of Brainerd and unless a separate agreement is established that ability for the Baxter to maintain the Conditional Use Permit would be lost.

Council Member Cross stated many those conditions were placed on the 1995 project. Some of the conditions were not necessary new because they expanded the plant. Public Works Director/City Engineer Walter explained the new plant was built to last 20 years.

Tom Thurston - 12988 Eagle Drive: What are they doing with the racquet ball building? Mr. Doty stated the City has not met with Brainerd regarding this building. Mayor Olson stated the use would have to meet the zoning conditions as long as the property is in the City of Baxter.

Rosemary Schuster – 12996 Berrywood Drive: If Brainerd is successful with the annexation would their property be in Brainerd? Mr. Doty reviewed the boundary area and only the wastewater plant property and surrounding area would be annexed into the city.

Sherry Solstad – 12923 Eagle Ridge Drive: Inquired if the CUP requirements apply to the fitness property since the service trucks that are backing up have the loud beeping noise. Mr. Doty stated if the City of Brainerd start using the building as part of their facility, a strong argument could be made to require a CUP amendment and public hearing would be held to discuss the use and expansion. Council Member Cross stated the property is currently zoned C1 and Mr. Doty stated the parcel would need to be rezoned and a CUP.

Greg Kvale - 12786 Eagle Ridge Drive: Stated he owns the lot just south of the three lots the City of Brainerd owns and since the new addition and upgrade to the plant, they have been experiencing a severe amount of high frequency noise.

Mr. Kvale has attempted to talk to BPU Chairman, Assistant Chairman and has been over to their office three times and has asked for an appointment but has not received any response from the BPU office. Mr. & Mrs. Kvale have been tracking the sound, which although it is not constant it is severe.

Mr. Kvale reiterated that BPU has not been responsive to his inquiries and now Brainerd wants to annex property which will leave our neighborhood completely surrounded by the City of Brainerd. He felt that as a community there is some real concerns regarding the annexation and what the implications would be with regards to sanitary sewer, water, roadway and what type of representation the neighborhood would have. He inquired if conditions can be put on an annexation with the board of municipal boundaries and what measure the City Council is willing to take to ensure the local neighborhood interests are protected. Mr. Kvale stated BPU needs to address the sound issue and find out future use of fitness building. They have been using the property for police training exercise.

Mr. Kvale explained he formerly worked for the DNR and when the City of Brainerd decided they wanted to change the zoning to property in northeast area (which he showed on a map), which is a commercial operation; they arbitrarily changed the property to an R3 and wanted to turn it into community housing. The DNR objected to the decision and Mr. Kvale testified against the rezoning; however, it was rezoned. He stated that he did not have a lot of faith with the City of Brainerd on some of their activities.

Tom Thurston - 12988 Eagle Drive: Pump alarms could make the noise. Council Member Cross explained it is something that is running around 85-90 decibels then is just switches off. It is some function that is running but he is not sure what it is.

Rose Bankers – 12619 Camwood Trail: Requested a quick summary on the annexation and how much say does one city has over another? The boundaries are strange and will the City of Brainerd take in additional residential property.

Mayor Olson stated residents had in the past stated the City of Brainerd did not listen to complaints. The City of Brainerd has discussed they would sue the city over this matter. City Administration has been in contact with an attorney. The attorney feels their reasons are frivolous and they will need to make a better case; the City has the reasons and the conditions. The options are to let them sue, or work out something contractually; the problem is the plant is gone.

Greg Kvale - 12786 Eagle Ridge Drive: Inquired why and why now? What promulgated this? Is this a money deal or control issue? There must be some conversation. Council Member Cross stated the timing was right after they purchased the former Fitquest and want to use for storage and it doesn't fit within the City of Baxter's zoning map.

Greg Kvale - 12786 Eagle Ridge Drive: Inquired if there have been any fiscal considerations for annexing the property or their residential properties. Council Member Holman stated he would want to know taxes and who is the representation. The BPU entity is autonomous to the Brainerd council. There are two entities in play, and it was the City of Brainerd that has approached us regarding this matter. Council President Scheeler serves on the BPU board.

Mark Bankers – 12629 Camwood Trail: It makes sense to have lower operating costs. Council Member Cross there are no operating costs and they only pay for their building permit fee. If they don't comply they save on not having to pay for CUP conditions.

Sherry Solstad – 12923 Eagle Ridge Drive: Stated that some of the residents have the majority of savings in their home and when it is time to sell they are hoping to have revenue for the future. People want to live in Baxter and not decrease the property value by being annexed into Brainerd. They do not want to be in Brainerd and the representation is important to residents. She inquired why we can't merge this into a Brainerd/Baxter plant with management and work together. Mayor Olson stated this has already been asked.

Council Member Cross stated he wants to do everything we can to not be annexed into Brainerd. Council Member Cross explained the importance of a joint powers board with city officials and residents so that one city will not have leverage over another. Forest management needs to be considered and there should be plans to do continual planting of trees. Council Member Cross does not care if the plant is in Brainerd or Baxter; he is only concerned if they will respond. The noise matter has been ongoing since day one and City staff has not received an answer regarding the noise.

Council Member Barrows stated the annexation and the BPU operations are two different concerns. If the annexation goes forward then Mr. Kvale's neighborhood may be vulnerable to annexation in the future. Council Member Cross stated that as the zoning aspect goes as a neighborhood we feel we lose some protection if it goes to the City of Brainerd. They already said they won't annex residential; however, this was a verbal statement. He felt that going into this matter there should be some negotiation on an agreement with a joint powers board to protect the interest of the neighborhood.

Rose Bankers – 12619 Camwood Trail: Stated she feels the plant should not be annexed. The smell doesn't matter to either Brainerd or Baxter. The residents went to Brainerd and asked for help and they didn't get any and thankful for what the City of Baxter did.

Greg Kvale - 12786 Eagle Ridge Drive: Inquired once again as to what action is the City Council willing to take? What is Brainerd secondary agenda and are they willing to listen?

Bill Anderson – 12838 Eagle Drive: Inquired why does Brainerd want to annex the property at this time? Council Member Holman stated there are reasons which may include addressing, CUP controls and land use, the fees for building permits and they can chose to waive those fees for themselves. He does not feel this adds up to a really strong case. Council Member Holman stated he has not heard the sound complaint before.

Greg Kvale - 12786 Eagle Ridge Drive: Inquired what is preventing the Baxter council to ask for a list of reasons why this doesn't work.

Council Member Holman stated it has been beneficial to hear from you. One of the council's first discussions was to bring our people in and hear their thoughts. The city's residents are not in support of annexing either the plant or residential neighborhoods, now we can say our residents have spoken. Council Member Cross stated a nuisance complaint can be registered at city hall.

Brent Fassett – 12934 Eagle Drive: Stated the noise is an issue and he expressed concern of Brainerd's lack of response. He felt there should be negotiations and a written contract. He requested the council think of the use and our home values.

Mayor Olson informed the group that he received a call from Brainerd on Thursday and they gave him until Thursday to resolve. He had informed Brainerd representative that the council will need we need to talk to our residents.

Greg Kvale - 12786 Eagle Ridge Drive: Inquired if anything from the residents is needed and will this be meeting be transcribed? He was informed that the council would like to have some recommendation at the next council meeting and the council will then hold another meeting with the residents.

Sharon Atkins – 13013 Berrywood Drive. If they take complete control they can change it whenever they want.

Interim Administrator Steel read the following comments into the record:

Jerry & Marilyn King
12978 Berrywood Drive
Baxter, MN 56425

Ms. Steele,
In response to your letter dated June 20, 2016 concerning the annexation of the Brainerd Public Utilities facility.

Thank you for informing us of the requested annexation by the City of Brainerd. We live at 12978 Berrywood Drive which relatively close to the proposed property annexation. We, my wife and I, strongly oppose the annexation and ask the Baxter City Council to deny the request. Approval of this request would have a negative impact on area residents and their property values. We have no complaints as it is currently operated.

We appreciate the City of Baxter's' enforcement of the provisions of the conditional use permit.

James & Lorraine Schubloom
12960 Berrywood Drive
Baxter, MN 56425

We are opposed to the annexation by the City of Brainerd Public Utilities.

Millicent Engisch
12874 Eagle Ridge Drive
Baxter, MN 56425

Some clean-up of the dead wood to help beautify the neighborhood would be appreciated.

Derald Steinbrecher
12930 Berrywood Drive
Baxter, MN 56425

Wants to keep the property as is.

Kurt Muesing
12908 Eagle Drive
Baxter, MN 56425

I want to express that I am 100% opposed to being annexed by the City of Brainerd.

Council Member Holman requested the City keeps the residents' updated since they have been engaged and they will want to know what happens.

Mayor Olson thanked the residents for attending the meeting and for sharing their thoughts and concerns.

CITY COUNCIL RETREAT

Council Member Holman questioned the order of the retreat. He thanked staff for the material in the packet, but felt there was a lot of information to cover and felt that 8:30 should be the end time of the meeting and the council continue the discussion at a later date.

Community Development Director Doty stated the retreat objective was pretty simple but the larger discussion is much longer and complex. The objective was to look at the comprehensive plan and the transportation approach with projects, goals and policies relating to the Capital Improvements Plan.

One key impact is working with neighborhood communities, townships and counties to develop an efficient regional transportation system while creating a positive image on the corridors and gateways through building, site design and signage standards.

Council Member Holman complemented staff on noticing that the needs for bike lanes and trail connections are becoming an integral part of the transportation system. The goal is to provide safe and efficient connections to destinations and neighborhoods.

Mayor Olson and Council Member Holman felt the need to work with the neighboring communities was critical to the development of the city's transportation system where feasible.

Consideration needs to be given as to the design and identify a funding mechanism for the construction of a grade separated crossing of T.H. 371 that will provide connection to the Paul Bunyan Trail. Mr. Doty stated he would like to have feedback on this matter. Council Member Holman stated where the pedestrian bridge will be located is the most important piece and once this location has been determined then the city will know where the other trails should go. Mayor Olson concurred with this thought and the council felt a location study was warranted.

A truck routing path was discussed in conjunction with the functional classification map in an effort to keep truck traffic out of residential areas and to keep 18 wheelers off of residential streets.

MOTION by Council Member Barrows, seconded by Council Member Cross to adjourn at 8:30 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Mary Haugen
Administrative Assistant

PARKS & TRAILS COMMISSION MINUTES
June 27, 2016

The regular meeting of the Baxter Parks and Trails Commission was called to order at 4:00 p.m.

MEMBERS PRESENT: Chair Jim Kalkofen, Commissioner Mari Holderness, Melissa Barrick, Gail Brecht and Council Liaison Quinn Nystrom

MEMBERS ABSENT: Ken Hasskamp

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS PRESENT: None

Approval of the Minutes

MOTION by Commissioner Brecht, seconded by Commissioner Holderness to approve the regular meeting minutes of May 23, 2016 as presented. Motion carried unanimously.

Potential City Park Property on Baxter Lake Across from City Hall

CD Director Doty indicated that he had received a call from a Baxter resident that would like to donate land to the City or see if the City was interested in making a small park for city staff use as a lunch break area. The owner doesn't appear to want to place any restrictions on the vacant land. CD Director Doty stated that he would like the Commissions input on if they would be interested in the land for a future park. Commissioner Barrick asked if the Council is still considering moving down towards the Public Works Facility. Council Liaison Nystrom and CD Director Doty indicated that the current Council is not talking about relocating at this time, rather they are fixing issues with the current location. CD Director Doty stated that with acquiring land there is cost, such as taxes and potential development costs. Chair Kalkofen asked about the slope of the land. CD Director Doty indicated there is a gradual slop towards the water. Commissioner Barrick asked how much cost there is in holding on to this property. CD Director Doty stated that any assessments would have to be paid, up-keep of the land-mowing and tree removal if needed and loss of taxes, he did not think there was a lot of cost but there would be some. Chair Kalkofen asked how big the lake is; CD Director Doty stated roughly 16 acres. Commissioner Holderness thought that it could be a nice little park. The Commission discussed several different options such as a dog park, passive park, launching of canoes etc.... The Commission discussed that this lake doesn't have public access anywhere that they were aware of; this could be a public access area.

Motion by Commissioner Barrick, seconded by Commissioner Brecht to request the City Council approve the proposed vacant land donation on Baxter Lake (PID #020114300F00009) for future City park land. Motion carried unanimously.

Requested Park Improvements

Planner Gindele provided a memo in the packet that listed seven different requests that are not currently in the Park Implementation Plan/Capital Improvement Plan. He went through each request with the Commission including all supporting documentation from residents that had submitted written requests. Planner Gindele stated that staff is looking for conversation regarding these items to see which items should be considered and researched.

Chair Kalkofen stated that they will review each item in order:

1. Dog Park-Commissioner Brecht stated that she had received requests for a dog park in Baxter. Preferably an urban park, the residents that need and would use this park are those with small yards or apartment renters. She thought that the land across from Southdale Park would be a nice place for a dog park, the former water treatment land. Chair Kalkofen asked how big that land is, CD Director Doty

stated roughly 4.5 acres with roughly 2 acres being highland/dry land. Commissioner Holderness agreed that a dog park would be a nice feature in Baxter. Commissioner Brecht stated that she wasn't sure what it would cost to start up a park, most likely fencing/gates, water and a baggy station. Council Liaison Nystrom stated that she remembered Brainerd receiving roughly \$30,000.00 for startup of the dog park. CD Director Doty stated that being it is on Perch Lake the land coverage would have to be taken into consideration to make sure the ground coverage is preserved. Commissioner Brecht noted that there was a good distance from the land to the next neighbor. Chair Kalkofen asked about parking, Commissioner Brecht indicated the parking at Southdale Park would be suitable.

Chair Kalkofen asked what staff is looking for. Planner Gindele indicated staff is looking to see if the Commission would like to add this to the implementation plan. Chair Kalkofen stated that he would like staff to research the cost associated with bringing a dog park forward. Planner Gindele stated that this would move staff onto the next item.

2. Off Leash Park-CD Director Doty stated that he would like to inform the Commission of a part of the regulations that allow for dogs to be off the leash if their owners have them trained by verbal commands, which is not mentioned in the letter requesting an area for training hunting dogs. He further stated that it would be up to the police officer to determine if the dog is trained properly or not should there be a complaint called in. Chair Kalkofen indicated that there are several areas around town where dogs can be trained without a leash. CD Director Doty stated that they will bring back additional information regarding a dog park.

Commissioner Brecht asked if there were any additional park fees coming in with some of the new developments. CD Director Doty stated that he thought that the new projects were bringing in roughly \$50,000.00.

3. Fitness Park Equipment-Planner Gindele stated that this is not a request for a new park, but the possibility of adding some equipment to an existing park. He stated that Northland Arboretum recently put some equipment in on a trail. Staff has not heard how much use the equipment gets at this point. CD Director Doty stated that he served on a board with the Arboretum and there was a lot that went into getting grants for the equipment and it was very time consuming. He further expanded on the additional equipment that is proposed and the fitness trainer that was used to help them place the equipment. Commissioner Brecht asked if Essentia Health paid for some of the equipment. CD Director Doty stated that he was not sure how the grants/funding went forward as he was not involved in that portion of the meetings.

CD Director Doty stated that previously this Commission had conversation about installing signs and a few pieces of equipment on the FitQuest woodchip trail; however, the portion that is not in Baxter would require additional work with other non-city entities. He also reminded the Commission of the previous meeting that there was a letter received requesting a single-multi-use piece of equipment at Riverwood Park. Commissioner Holderness stated that she has been in favor of this type of trail for some time. She expressed the need for the equipment without having to pay to use it, being the Arboretum does have a fee. The Commission asked that staff call the Arboretum to see what their use is of the equipment.

4. Splash Pad-CD Director Doty stated that this was requested a while ago by a resident. The cost of a splash pad can be large. Commissioner Holderness said that she would like to see it added to a wish list of future improvements beyond the scope of the five year CIP. Commissioner Barrick stated that other communities are doing fundraiser activities because they are very expensive.

5, 6, 7. Skate Park/Softball Park Complex/Nature Trail-The Commission agreed that these items should go on a

“wish list”. Commissioner Brecht recalled the Brainerd skate park was taken down. Council Liaison Nystrom stated that she has heard parents talk about the teenagers needing something to do in the parks, as the parks are geared more for younger children or athletics.

Commissioner Brecht stated that these items should be placed in the CIP plan with a new category called “when funds are available” or “as money allows”. CD Director Doty indicated that these items will be looked at when the next revision to the CIP plan would take place.

Rotary Centennial Project

CD Director Doty stated that in the packet there is a project information submission for a partnership with the Rotary Club. He further stated that the Rotary is going to present to the Council in July and being there were parks mentioned he wanted to make the Commission aware of the potential partnership. The Commission discussed different projects that the Rotary could assist with, the dog park, the pedestrian bridge over 371, basketball courts or hockey warming houses. CD Director Doty stated he will keep the Commission posted.

Draft 5 Year CIP

CD Director Doty stated that there wasn't much to change on the CIP unless there is something that the Commission would like to add, it could stay as is at this point. Commissioner Barrick stated that she would like to see something added to Whipple Beach to keep the sand from blowing up on the playground and grass area. CD Director Doty stated he witnessed the wind this weekend blowing the sand around and he would have to look into what type of plants would help keep the sand on the beach. He also stated that it would have to be added to the CIP as it was an additional cost. CD Director Doty stated there could be additional funding sources available, such as grants.

Commissioner Barrack stated that she has been researching Legacy and MN Greater Good grant funding. Chair Kalkofen asked if there were specific items these grants were looking for. Commissioner Barrack stated that the grants seemed open to different ideas, the request needed to be submitted by April 2016, therefore the next time to apply would be April 2017. Chair Kalkofen asked that this item stay on the radar for next year.

Oakwood Trail Relocation

WSB Trail Memo

Planner Gindele referenced the memo in the packet and reviewed the proposed location for the crossing location on Oakwood Drive and Clearwater Road. He explained that the Cities concern was the blind crossing and thus the reason for the study. The Council approved the suggested crossing locations in this memo at their last meeting. CD Director Doty recapped the previous locations for the crossing.

Second Meeting with Camp Vanasek

Planner Gindele will set this meeting up and discuss the new proposed crossing location.

OK Pavilion Grand Opening/Music Event-Planning

CD Director Doty stated that all though staff hasn't contacted all of the locations Chair Kalkofen suggested, they have placed the grand opening in the June city newsletter, made contact with WJYJ Radio station to have announcements made, the Dispatch has been notified and the Baxter Police Facebook page is being looked at for a post.

Council Liaison Nystrom gave a brief update regarding the Mayor speaking, musicians and Commission being present for the ribbon cutting ceremony. CD Director Doty stated that hot dogs and refreshments will be provided. Council Liaison Nystrom indicated that the Council is excited and looking forward to the grand opening.

Construction Updates**OK Pavilion**

Chair Kalkofen stated that he drove by and is concerned that the pavilion will not be ready for the grand opening; he indicated that there is still a lot of work to be done. CD Director Doty confirmed that there were more challenges with the project than foreseen, which is the reason for the cushion when working on a project like this. The Commission discussed the completion date and the concerns regarding it being completed.

Whipple Beach ADA Observation Deck

CD Director Doty stated that this project is completed and being constantly used.

Other Business

Chair Kalkofen asked for a remaining balance in the park dedication fund. CD Director Doty stated he will get that balance for the next meeting from the Finance Department.

The next scheduled meeting is July 25, 2016 at 4:00 pm.

Adjournment

MOTION by Commissioner Brecht, seconded by Commissioner Barrick to adjourn the meeting at 5:25 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Chair Jim Kalkofen

Shanna Newman, CD Administrative Assistant

LONG RANGE PLANNING COMMISSION MEETING
June 27, 2016

The Long Range Planning Commission meeting was called to order at 6:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners Cathy Clark, Bob Ryan, Mark Cross, Lori Rubin, Jim Kalkofen, and Council Liaison Todd Holman

MEMBERS ABSENT: Rock Ylimeini

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS: Judy & Mark Zahn, Craig Reikofski, Greg & Nancy Slad, Jean & Randy Mertes, Robert Nelms and Kris & Rick Olson

Approval of Minutes

Motion by Commissioner Ryan, second by Commissioner Rubin to approve the minutes of the May 23, 2016 meetings. Motion carried unanimously.

Dellwood Area Neighborhood Meeting

Chair Donnay stated that each person on the Commission is a Baxter resident appointed to this Commission by the Baxter City Council. Chair Donnay then turned the floor over to CD Director Doty.

CD Director Doty gave a brief presentation of the area in a PowerPoint presentation. After the presentation the Commission and audience members reviewed several maps and generated questions, concerns and comments related to the area.

Chair Donnay asked anyone that would like to speak regarding this area to please come forward to the podium.

Mr. Robert Nelms 7761 Whispering Woods Lane- Stated that he is surrounded by Menards property, with the store and holding pond. He would like to be zoned commercial as that is what is surrounding him. Mr. Nelms indicated that it would be a better sale for him and a better tax base for Baxter.

Judy Zahn 15410 Dellwood Drive- indicated where her husband and her live and the additional property they own at the end of the cul-de-sac. She gave history of the purchase 20 years ago, the location of their pole barn with a car lift located inside for retirement income and with the land being a portion of their planned retirement funds when they sold it as a commercial piece of property. She handed out packets of information regarding previous zoning and the current zoning per the County. Mrs. Zahn indicated that in 2011 there was a rezoning of their property and without their knowledge, they lost the commercial zoning. She included the 2008 meeting notes and maps that took place during the Baxter Long Range Planning Commission meetings, current and past County documents. She indicated concern for the recent comments that the 2008 documents were old and outdated. Mrs. Zahn stated that in 2008 there was negotiating to keep the property commercial and that is now not being recognized, she has concerns that this Commission is going to do the same thing by not honoring past conversations. She further pointed out residents around her that want commercial and the location of the road being proposed to bring water and sewer to them. Mrs. Zahn indicated that road is going to tie into Novotny and Dellwood making it a frontage road. They don't want to be the "buffer" property, they want commercial.

Mr. Craig Reikofski 15532 Dellwood Dr.- would like to see a portion of his property zoned C-2 commercial and a smaller area that he owns being zoned OS. His neighbor to the south is Hart, the dogs start barking at roughly 8:00 am and he is concerned that an OS office building would have an issue with the barking and may make it a harder sell than a commercial use.

Mrs. Zahn reproached and stated she meant to address the Hart neighbor. They were there prior to Hart coming in and it will be harder to sell with Hart as a neighbor.

Chair Donnay asked if there was anyone else to speak, there was not, he asked CD Director Doty to explain the next step.

CD Director Doty stated that this information will be gathered, a few options will be put together by staff and a report will go to this Commission at the next regular meeting scheduled for July 25, 2016. That meeting will be a public hearing where a potential decision could be made and forwarded on to the Council for approval.

An audience member asked about the hunting map and making hunting available on a portion of their land. CD Director Doty stated that the hunting map is going to be reviewed at the next Long Range Planning Commission meeting and the Baxter Chief of Police will be at that meeting as well.

Commissioner Kalkofen asked what the three property owners that spoke are currently zoned, CD Director Doty stated residential.

Other Business

The next meeting is scheduled for July 25, 2016 at 6:00 p.m.

Adjournment

Motion by Commissioner Ryan, second by Commissioner Clark to adjourn the meeting at 6:28 p.m.

Approved By:

Submitted By:

Chair Kevin Donnay

Shanna Newman
CD Administrative Assistant

REQUEST FOR COUNCIL ACTION

July 5, 2016

Department Origination: Police

Agenda Section: Consent

Agenda Item: Approve the \$3,500 Purchase of Night Vision System with Proceeds from Drug Forfeiture Fund

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The Police Department is looking to purchase a second night vision/thermal imager system for another of our squad cars. The first system has been extremely useful and a second system would be just as beneficial to the department.

This would be an acceptable use of the forfeiture dollars.

FINANCIAL IMPLICATIONS

A transfer of \$3,500 from the Drug Forfeiture Fund will cover the costs of this system.

STAFF RECOMMENDATION

Staff is recommending approval of the transfer of \$3,500 from the Drug Forfeiture Fund to cover the costs associated with the purchase of the night vision system.

COUNCIL ACTION REQUESTED

Motion to approve the transfer of \$3,500 from the Drug Forfeiture Fund to purchase the night vision system.

REQUEST FOR COUNCIL ACTION

July 5, 2016

Department Origination: Police

Agenda Section: Consent

Agenda Item: Approve the \$4,500 Purchase of Less Lethal Weapons Systems with Proceeds from the Drug Forfeiture Fund

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The Police Department is looking to purchase four less lethal weapons systems. The systems (a shotgun which shoots beanbag rounds) will be deployed in four of the department's squad cars.

They systems will be used as an additional tool made available to officers for certain situations in which the circumstances present to the officers an opportunity to intervene with this system. This use of force is often times used in an effort to disarm or disorient an individual who is significantly threatening the life of an officer, a victim or themselves.

The purchase of the systems would be the first step in deployment. After purchase the department would train with the weapons and learn policy specific to the tool. The systems would then be deployed into the squads.

The cost for the shotguns will be about \$350 apiece. The optics for each weapon will be about \$600. Each system will then require another \$50 to complete the set-up and installation. Additionally, the training rounds and duty rounds will cost about \$500. We are looking to transfer \$4,500 from the drug fund to cover these costs.

This would be an acceptable use of the forfeiture dollars.

FINANCIAL IMPLICATIONS

A transfer of \$4,500 from the Drug Forfeiture Fund will cover the costs of this system.

STAFF RECOMMENDATION

Staff is recommending approval of the transfer of \$3,500 from the Drug Forfeiture Fund to cover the costs associated with the purchase of the less lethal weapons systems.

COUNCIL ACTION REQUESTED

Motion to approve the transfer of \$4,500 from the Drug Forfeiture Fund to purchase the less lethal weapons systems.

REQUEST FOR COUNCIL ACTION

July 5, 2016

Department Origination: Administration

Agenda Section: Consent

Agenda Item: Appoint Election Judges for the August 9, 2016 Primary Election and November 8, 2016 General Election

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

July 15 is the last day to appoint election judges for the August primary election. At least two election judges in each precinct polling place must be affiliated with different major political parties. Cities have the authority to appointed qualified individuals, including those not affiliated with a major political party, to be election judges, if no lists have been provided from the political parties, or if additional election judges are needed after names on the lists have been exhausted. Baxter received eighteen names of individuals between both major political parties interested in serving as an election judge. Seven of those individuals have agreed to serve as an election judge. The remaining judges consist of former judges or new individuals. There are 30 regular election judges to be appointed and compensated at \$10.00 per hour and 4 head judges to be appointed and compensated at \$12.00 per hour.

The Primary Election will be held on August 9, 2016 and the General Election will be held on November 8, 2016. Voting will be held at the following precincts: P1E at Lord of Life Church, P1W at Baxter City Hall, P2E at Heritage Assembly of God Youth Building, and P2W at Forestview Middle School gym.

FINANCIAL IMPLICATIONS

Election judge compensation for the 2016 elections has been included in the budget.

STAFF RECOMMENDATION

Staff recommends approval of election judges for the Primary Election and General Election as shown on the attachment and to allow the City Clerk to make substitutions and additions to the list as necessary.

COUNCIL ACTION REQUESTED

MOTION to approve the appointment of the listed election judges for the 2016 Primary Election and General Election, to allow the City Clerk to make substitutions and additions to the list as necessary , and the compensation rate of \$10.00 per hour for regular judges and \$12.00 per hour for head judges.

ATTACHMENTS

1. Election Judge List

Attachment – Election Judge List (head judges are shown in Bold)

<u>Last Name</u>	<u>First Name</u>
Abear	Beverly
Ahle	Karen
Anderson	Bonnie
Androli	Roy
Androli	Celestine
Benson	Elizabeth
Bock	Doreen
Buttenhoff	Bruce
Collins	Brenda
Eiesland	Doreen
Eiesland	Scott
Farmer	Mary
Finken	Lisa
Flom	Joan
Goldstein	Russel
Haarup	Hazel
Hauble	Kathryn
Holderness	William
Holm	Jeannie
Johnson	Brenda
Kellerman	Larry
Lidholm	Betty Jo
Lidholm	Earl
Luken	Ken
Nefstead	Sonja
Novak	Joan
Novak	Joan
Olson	Gwendolyn
Parker	Lesley
Passi	Elizabeth
Peterson	Nikki
Revenig	Rita
Ringold	Beverly
Rudnitski	Daniel
Rudnitski	Linda

Sands

Swedin

Thurstin

Timmerman

Warburton

Joyce

Darlene

Sher

Mary Lou

Jeanette

REQUEST FOR COUNCIL ACTION

July 5, 2016

Department Origination: Administration**Agenda Section:** Consent

Agenda Item: Approve Baxter Park and Rec Joint Powers Budget for 2016-2017

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

On February 12, 2007, the city entered into a joint powers agreement (“JPA”) with Independent School District 181 (“ISD 181”) to provide recreational services on behalf of the city. The JPA terms require the city and ISD 181 to approve the annual program budget.

Program revenues for the proposed 2016-2017 budget are expected to be \$57,000, primarily from participate program fees. Program expenditures are expected to be \$86,667, generally for staffing, supplies, and other administrative costs. The resulting anticipated deficit of \$32,000 is the requested city contribution.

FINANCIAL IMPLICATIONS

The city will allocate \$32,000 for payment in 2017.

STAFF RECOMMENDATIONS

The recommendation is to approve the 2016-2017 budget.

COUNCIL ACTION REQUESTED

Motion to approve the Joint Powers 2016-2017 budget.

ATTACHMENT

Baxter Park and Rec Joint Powers Financial Results and Budget Summary

Baxter Park and Rec Joint Powers Financial Results and Budget Summary

	YE Actual 2011-12	YE Actual 2012-13	YE Actual 2013-14	YE Actual 2014-15	BUDGET 2015-16	FORECAST 2015-16	BUDGET 2016-17
Revenue							
Program Revenue	\$55,577.00	\$54,182.10	\$49,474.00	\$54,414.05	\$52,500.00	\$56,500.00	\$56,000.00
City of Baxter Contribution	\$22,000.00	\$22,500.00	\$30,500.00	\$31,000.00	\$34,000.00	\$36,000.00	\$36,000.00
Total Revenue	\$77,577.00	\$76,682.10	\$79,974.00	\$85,414.05	\$86,500.00	\$92,500.00	\$92,000.00
Expenses							
Program Staff	\$31,368.63	\$36,007.20	\$40,758.26	\$43,116.48	\$43,500.00	\$42,242.00	\$44,200.00
Support and Admin Staff	\$22,631.04	\$17,128.96	\$16,811.33	\$18,415.33	\$18,500.00	\$18,354.00	\$18,942.00
Supplies & Equipment	\$19,288.75	\$20,208.54	\$19,283.96	\$20,122.62	\$21,000.00	\$28,182.00	\$25,000.00
Visa Fees	\$1,291.06	\$1,297.71	\$1,258.09	\$1,423.68	\$1,500.00	\$1,747.00	\$1,900.00
Marketing/Guide Expense	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
Fundraising Expense	\$1,530.71	\$801.19	\$864.48	\$960.00	\$800.00	\$900.00	\$900.00
Misc	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expense	\$77,310.19	\$76,643.60	\$80,176.12	\$85,238.12	\$86,500.00	\$92,625.00	\$92,142.00
Excess (Deficit)	\$266.81	\$38.50	(\$202.12)	\$175.93	\$0.00	(\$125.00)	(\$142.00)

	YE Actual 2011-12	YE Actual 2012-13	YE Actual 2013-14	YE Actual 2014-15	BUDGET 2015-16	FORECAST 2015-16	BUDGET 2016-17
Revenue							
Program Fees	\$48,751.00	\$47,232.10	\$43,224.00	\$47,239.05	\$46,000.00	\$48,900.00	\$49,000.00
Fundraising	\$6,826.00	\$6,950.00	\$6,250.00	\$7,175.00	\$6,500.00	\$7,600.00	\$7,000.00
Total Revenue	\$55,577.00	\$54,182.10	\$49,474.00	\$54,414.05	\$52,500.00	\$56,500.00	\$56,000.00
Expenses							
Program Staff	\$37,026.13	\$36,007.20	\$40,758.26	\$43,116.48	\$43,500.00	\$42,242.00	\$44,200.00
Support and Admin Staff	\$16,973.54	\$17,128.96	\$16,811.33	\$18,415.33	\$18,500.00	\$18,354.00	\$18,942.00
Supplies & Equipment	\$19,288.75	\$20,208.54	\$19,283.96	\$20,122.62	\$21,000.00	\$28,182.00	\$25,000.00
Visa Fees	\$1,291.06	\$1,297.71	\$1,258.09	\$1,423.68	\$1,500.00	\$1,747.00	\$1,900.00
Marketing/Guide Fees	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
Fundraising Expense	\$1,530.71	\$801.19	\$864.48	\$960.00	\$800.00	\$900.00	\$900.00
Misc	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Expense	\$77,310.19	\$76,643.60	\$80,176.12	\$85,238.12	\$86,500.00	\$92,625.00	\$92,142.00
Excess (Deficit)	(\$21,733.19)	(\$22,461.50)	(\$30,702.12)	(\$30,824.07)	(\$34,000.00)	(\$36,125.00)	(\$36,142.00)

2015-16 Forecast Support Staffing Allocation			
Non-Program Staffing	Time Dedicated		Prorated Amt
Accounts Payable	80 hours	3.85%	\$2,205.00
Office	350 hours	17.00%	\$9,975.00
Office and Program Admin	80 hours	4.50%	\$6,174.00
			\$18,354.00

2016-17 Budget Support Staffing Allocation			
Non-Program Staffing	Time Dedicated		Prorated Amt
Accounts Payable	80 hours	3.85%	\$2,260.00
Office	350 hours	17.00%	\$10,152.00
Office and Program Admin	80 hours	4.50%	\$6,530.00
			\$18,942.00

REQUEST FOR COUNCIL ACTION

07/05/16

Department Approval: Finance Director Vacinek 

Agenda Section: Consent

Approval Required: Simple Majority of Vote of the Council

Item Description: Accept with Gratitude a \$350 Donation from the Baxter Lions Club for the 2016 Lakes Area Triathlon

BACKGROUND

The City of Baxter hosts the Lakes Area Triathlon each year in August, utilizing city streets and the Whipple Beach Recreational Facility as the focal point for the event. The City has received a \$350 check from the Baxter Lions Club to offset some of the cost of the event for 2016.

POLICY

The following is the City of Baxter's policy regarding the acceptance of donations:

- Minnesota Statue requires all donations to be officially accepted by the City Council.
- Donors will be informed that no conditions or promises of future favorable city action on their behalf may be attached to the gift.

FINANCIAL IMPLICATIONS

The \$350 donation will be deposited in the General Fund to offset a portion of the City's cost to host the triathlon.

STAFF RECOMMENDATIONS

Staff recommends acceptance of the \$350 donation toward the cost of the triathlon with the city's appreciation.

COUNCIL ACTION REQUESTED

Motion to accept with gratitude the \$350 donation from the Baxter Lions Club to offset costs for the 2016 Lakes Area Triathlon.

REQUEST FOR COUNCIL ACTION

07/05/16

Department Approval: Administration, Finance, **Agenda Section:** Consent
Community Development and Public Works

Approval Required: Simple Majority Vote of the Council

Item Description: Accept with Gratitude the Donations for the Oscar Kristofferson Park Pavilion Grand Opening Event and Associated Expenditures for the Event

BACKGROUND

The grand opening of the new Oscar Kristofferson park pavilion is scheduled for Wednesday, July 20 at 6:00 p.m. As part of the event, free refreshments will be served and a concert will be performed by Scott Lykins and John Taylor Ward of the Lakes Area Music Festival. The following vendors associated with the project have graciously agreed to donate funding toward the event:

- Baratto Brothers Construction (Builder),
- St. Croix Recreation Company (Supplied the Structure), and
- Widseth Smith Nolting (Architect and Civil Engineer).

POLICY

The following is the City of Baxter's policy regarding the acceptance of donations:

- Minnesota Statue requires all donations to be officially accepted by the City Council.
- Donors will be informed that no conditions or promises of future favorable city action on their behalf may be attached to the gift.

FINANCIAL IMPLICATIONS

The cost of the refreshments, including supplies, is estimated at \$425 and the fee for the musical performance by the Lakes Area Music Festival group is \$200. The \$450 of donations is expected to cover most of the estimated expenditures for the event, with the remaining \$175 funded by the city's General Fund.

STAFF RECOMMENDATIONS

Staff recommends acceptance of the donations, with the city's appreciation, from Baratto Brothers Construction, St. Croix Recreation Company, and WSN for \$150 each toward the event. It is further recommended to approve the estimated \$625 of event expenditures.

COUNCIL ACTION REQUESTED

Motion to accept with gratitude the donations for the Oscar Kristofferson Park pavilion grand opening event and the associated expenditures for the event

REQUEST FOR COUNCIL ACTION

07/05/16

Department Approval: Finance Director Vacinek  **Agenda Section:** Consent
IT Director DeBoer

Approval Required: Simple Majority Vote of the Council on Ordinance Adoption and
4/5 Vote of the Council on Summary Ordinance Adoption

Item Description: Adopt Ordinance No. 2016-038 and Summary Ordinance No. 2016-039,
An Ordinance Amending Title 8-1-8 of the Baxter City Code Providing for
a Radio Read Meter System and an Alternate Meter System Option

BACKGROUND

In preparation for the implementation of the Advanced Metering Infrastructure (AMI) project to automatically read water meters within the city, IT and Finance have been working on updating ordinances and procedures impacted by the AMI project. Title 8-1-8 of the Baxter City Code currently outlines the meter reading process whereby water users read the water meter and remit the reading to the city. With the implementation of the AMI, water users will no longer need to self-report monthly meter readings as the reading will be reported through the AMI.

IT Director DeBoer and Finance Director Vacinek have been analyzing how other cities have handled the AMI transition and consulted with the city's public finance attorney at Kennedy and Graven on amending Title 8-1-8 of the Baxter City Code. Attached is the recommended amendment to the ordinance prepared in consultation with the city's public finance attorney.

In addition to the ordinance amendment, the establishment of procedures and fees for non-compliance with the water meter replacement program and AMI opt-out process (for owners wishing not to have the meter read automatically) will be needed to ensure the success and efficiency of the project. Recommendations on the procedures and adjustments to the fee schedule to account for the added cost of non-compliance and opt-out option will be presented on a future council agenda.

FINANCIAL IMPLICATIONS

Legal, publication, and codification costs of adopting the ordinances to amend Title 8-1-8 of the Baxter City Code will be accounted for within the AMI project budget.

STAFF RECOMMENDATIONS

Staff recommends adopting the attached Ordinance 2016-038 and Summary Publication Ordinance 2016-039 amending Title 8-1-8 of the Baxter City Code Providing for a Radio Read Meter System and an Alternate Meter System Option.

COUNCIL ACTION REQUESTED

Motion to adopt Ordinance 2016-038 and Summary Ordinance 2016-039 amending Title 8-1-8 of the Baxter City Code Providing for a Radio Read Meter System and an Alternate Meter System Option

ORDINANCE NO. 2016-038**CITY OF BAXTER, MINNESOTA****AN ORDINANCE AMENDING SECTION 8-1-8 PROVIDING FOR A RADIO READ METER SYSTEM AND AN ALTERNATE METER SYSTEM OPTION**

THE CITY COUNCIL OF THE CITY OF BAXTER ORDAINS:

SECTION 1. The Baxter City Code, Section 8-1-8, is hereby amended as follows:

8-1-8: METER READING:

~~Each water user shall read his or her own meter monthly and, on forms provided by the city or other city approved methods for such purpose, shall report such readings to the city monthly. Should the water user fail to report a reading as herein required, the city shall bill an estimated usage until a reading is otherwise ascertained. The city may access the water meter and confirm the reading at any time. If the water user does not submit a water meter reading to the city for two (2) consecutive months, the city shall arrange to read the meter and shall adjust the bill accordingly on the next billing thereafter. An additional fee, in an amount as established on the city fee schedule available at city hall, shall be assessed for each time the city must read the meter.~~

A. Generally: The city shall provide for inspection, maintenance, replacement, testing, and repair at reasonable times of all water meters connected to the city water supply system. Where replacement, repair, or adjustment of any meter is rendered necessary by the action or inaction, neglect, or carelessness of the owner or occupant of any premises, any expense caused the city thereby shall be added to the monthly utility bill and water service may be discontinued until the cause is corrected and the amount charged is collected. All water meters shall be and remain the property of the city and may be removed, replaced, or changed by the city whenever deemed necessary by the city. When deemed necessary by the city, the city shall notify the owner of the building or premises of the need for the removal, replacement, or change and the process whereby that shall occur. The city may charge a fee to any owner that fails to respond to the city notice regarding the need for a meter removal, replacement, or change and that fee shall be added to the monthly utility bill until the meter request has been completed. The amount of the fee shall be set annually by the city council.

B. Alternate Metering System: The city utilizes radio read meter reading infrastructure to read its water meters. It is recognized that not all customers approve of this method of meter reading. Therefore, the owner upon written request on an application supplied by the city may elect an alternate metering system and shall be charged a monthly meter reading fee set annually by the city council. Prior to the sale of a building or premises with an alternate metering system, the alternate meter system shall be replaced with radio read meter infrastructure.

C. Access: For the purpose of meter inspection, maintenance, replacement, testing, repair, and reading, the city shall have free access at reasonable hours of the day to all parts of every building and premises connected to the city water supply system.

D. Testing: When the owner questions the accuracy of the meter reading for any past service period, the city shall upon written request have such meter reread. If the owner remains dissatisfied and desires that the meter be tested, then the owner shall on written request along with posting a testing fee with the city have the meter tested. If the test shows an error exceeding 5% of the water consumed, then the testing fee shall be refunded to the owner and a new meter shall be installed and the bill shall be adjusted accordingly. The bill adjustment shall not extend back more than one service period from the date of the written request. The testing fee shall not be refunded if the meter is found to be accurate. The testing fee shall be set annually by the city council.

SECTION 2. This ordinance takes effect upon publication in accordance with law.

Whereupon, said Ordinance is hereby adopted on this 5th day of July 2016.

Darrel L. Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/City Clerk

**CITY OF BAXTER, MINNESOTA
ORDINANCE 2016-039**

SUMMARY OF ORDINANCE NO. 2016-038

**AN ORDINANCE AMENDING SECTION 8-1-8 PROVIDING FOR A RADIO READ
METER SYSTEM AND AN ALTERNATE METER SYSTEM OPTION**

This ordinance amends Section 8-1-8 of the Baxter Code to provide for a radio read water meter system and an alternate meter system option, replacing the prior process of property owners self-reporting meter readings. The ordinance provides for the city ownership of, access to, and testing of the water meters.

A printed copy of the entire ordinance is available for inspection by any person at City Hall during the City Clerk’s regular office hours.

Whereupon, said Ordinance is hereby adopted on this 5th day of July 2016.

Darrel L. Olson, Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

REQUEST FOR COUNCIL ACTION

07.05.2016

Department Origination:
Public Works

Agenda Section:
Consent

Agenda Item: Oscar Kristofferson Park Picnic Pavilion Construction Contract Extension Request.

Approval Required: Simple Majority Vote of the Council

BACKGROUND

In response to a letter dated June 22, 2016 from Baratto Brothers Construction, Inc., WSN is approving and recommending a request to extend the substantial completion date from July 1, 2016 to July 8, 2016 (see attached letter).

All items described in this letter have been confirmed by WSN to be accurate as it relates to the delay in the schedule caused by Cover Works and their delivery of incorrect or unacceptable materials.

FINANCIAL IMPLICATIONS

At this time, there is not a request for a cost in contract change order relating to the additional time and labor that has occurred due to the performance of Cover Works.

However, if Baratto Brothers Construction, Inc. does request a change order for this increase in scope, WSN recommends that this change order be approved through back charging Cover Works for the amount requested.

STAFF RECOMMENDATION

Staff recommends approving the contract extension request by Baratto Brothers Construction, Inc. for the Oscar Kristofferson Park Picnic Pavilion Project from July 1, 2016 to July 8, 2016.

COUNCIL ACTION REQUESTED

MOTION to approve the contract extension request by Baratto Brothers Construction, Inc. for the Oscar Kristofferson Park Picnic Pavilion Project from July 1, 2016 to July 8, 2016.

Attached: Baratto Brothers Letter dated June 22, 2016



Contract Extension

June 22nd, 2016

Oscar Kristofferson Park
Baxter, MN

Re: Contract Extension Request

Mike,

Baratto Brothers Construction, Inc. is formally asking for a 1-week extension for substantial completion of the Oscar Kristofferson Park Pavilion. Due to shipping inaccuracies with from the Cover Works structure an additional week will be needed to obtain substantial completion. The following items were provided incorrectly by the building manufacturer and have caused the delay.

- Lower roof panels 1" short. New J-Trim and Flashing estimated delivery of 6/29/2016. (allow 3 days for install).
- Lower roof panel inaccuracy resulted in 2 days lost time to BBC.
- Structural Tongue and Groove approximately 700 L/F short
- Tongue and Groove shortage caused delays with roof installation

Due to the above information a new substantial completion date of July 8th, 2014 is requested. Baratto Brothers Construction Inc. will work with the City of Baxter to ensure the Grand Opening scheduled for July 14th is not delayed.

Thank you,

Scott McCall
Project Manager

REQUEST FOR COUNCIL ACTION

07.05.2016

Department Origination:
Public Works Parks & Trails Division

Agenda Section:
Consent

Agenda Item: Approve Assisting with the 2016 9-U Cal Ripken Mid-West Regional Baseball Tournament

Approval Required: Simple Majority Vote of the Council

BACKGROUND

Baxter Baseball Association Commissioner Joe Pohlkamp recently informed the City of Baxter will once again be hosting the 2016 Cal Ripken Mid-West Regional Baseball 9-U Tournament at Oscar Kristofferson Park from Wednesday, July 27th through Sunday, July 31st.

These are the eight teams in our Mid-West Regional tournament:

- Minnesota
- North Dakota
- South Dakota
- Nebraska
- Colorado
- Iowa
- Kansas
- Missouri
- Canada

This event brings approximately 500 plus families into the area for the weeklong event. Adult guardians/parents, family members and players stay in local hotels that week.

FINANCIAL IMPLICATIONS

Two parks staff will be on-site for the tournament at 10-hour days per person.

Pre-Tournament setup takes 2 staff members approximately 32 hours or two days, which includes setting up portable fencing, signage, and dress fields. (\$31.00 x 32 = \$992.00)

Tournament Days takes staff approximately 20 staff hours per day (4 days), plus equipment, sparkle 6 line marker and field supplies. (\$31.00 x 80 = \$2,480). If the Tournament Director could provide field persons to assist on Saturday and Sunday, the City could drop approximately 20 hours off the total estimated hours. (\$31.00 x 20 = \$620.00)

Total supply cost to the City is estimated at \$35.00 for field paint and sparkle 6 at \$40.00 a bag for an estimated total of \$80.00 for two bags if needed. Engineering Department plots the tournament bracket schedule, which takes staff approximately 2 hours to complete. (\$50.00 x 2 = \$100.00)

Total City cost is estimated at \$3,067.00 to \$3,687.00.

The Baxter Baseball Association has requested the City of Baxter waive the picnic pavilion rental fee in the amount of \$50.0 for the regional tournament kick-off picnic on Wednesday, July 26, 2016.

STAFF RECOMMENDATIONS

Staff recommends City Council approve assisting the Baxter Baseball Association with the hosting of the 2016 9-U Cal Ripken State Baseball Tournament at Oscar Kristofferson Park at an estimated cost of \$3,687.00 plus equipment and extra trash disposal.

COUNCIL ACTION REQUESTED

MOTION to approve City staff assisting the Baxter Baseball Association with the hosting of the 2016 9-U Cal Ripken State Baseball Tournament at Oscar Kristofferson Park at an estimated cost of \$3,687.00 plus equipment and extra trash disposal.