

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