



CITY COUNCIL MEETING MINUTES

Tuesday, August 19, 2025 at 7:00 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

CALL TO ORDER

Mayor Olson called the meeting to order at 7:00 p.m.

ROLL CALL

Mayor Darrel Olson and Council Members Connie Lyscio, Zach Tabatt, Patrick Sundberg, and Mark Cross were present.

City Administrator Brad Chapulis, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Community Development Director Josh Doty, Assistant City Engineer Trevor Thompson, City Attorney Greta Bjerkness, and Police Chief Matt Maier were present.

PLEDGE OF ALLEGIANCE

All joined Mayor Olson in reciting the Pledge of Allegiance.

PRESENTATIONS

None.

ADDITIONS OR CHANGES TO THE AGENDA

None.

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

None.

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:*

1. Approve City Council Work Session Minutes from August 6, 2025
2. Approve City Council Minutes from August 6, 2025
3. Approve the Payment of Bills and Finance Report (Addendum A)
4. Accept the Utilities Commission Minutes from August 7, 2025
5. Accept the Project Timber Wolf Municipal Improvements as Outlined in the Development Agreement Contingent on Receiving Asbuilt Drawings
6. Approve Les Schwab Tire Center Escrow Agreement for Inspection Services and Asbuilts

7. Approve the Stormwater Facilities Maintenance Agreement with Access Rights and Covenants for Les Schwab Tire Center
8. Accept 2025 PASER Street Rating Evaluation
9. Approve Pratt's Affordable Excavating Inc. Partial Pay Estimate No. 3 in the amount of \$231,262.66 for work completed on Contract B related to the 2025 Water Supply Improvements – Wells 5 & 6, Municipal Project No. 6011-45040
10. Approve Traut Companies Partial Pay Estimate No. 2 in the amount of \$186,223.75 for work completed on Contract A related to the 2025 Water Supply Improvements – Wells 5 & 6, Municipal Project No. 6011-45040
11. Approve Integrated Process Solutions, Inc. Partial Pay Estimate No. 1 in the amount of \$131,702.40 for work completed on Contract C related to the 2025 Water Supply Improvements – Wells 5 & 6, Municipal Project No. 6011-45040
12. Accept the Well Nos. 1 and 4 Pump Replacement Project Summary Memorandum for the 2025 Well 1 and Well 4 Pump and Motor Replacement Project
13. Approve the Eaton Corporation quote through authorized retailer Crescent Electric Supply Company, Baxter, MN in the amount of \$22,860.00 for the replacement of the automatic transfer switch (ATS) controller ATC-900 related to the Water Treatment Plant Emergency Generator
14. Approve SEH Fee Amendment No. 1 in the Not To Exceed Amount of \$16,210.00 for a total revised not to exceed amount of \$45,628 for Additional Professional Services related to the Fats, Oils and Greases (FOG) Program Updates.
15. Approve SEH Fee Amendment No. 1 in the Additional Amount of \$50,000.00 for a Total Revised Not-to-Exceed Amount of \$850,000.00 for Professional Services during the Construction Phase related to the 2024 South Forestview Improvements Project, Municipal Project No. 4138
16. Approve Pratt's Affordable Excavating, Inc. Partial Pay Estimate No. 4 in the amount of \$46,175.31 for the 2024 CSAH 77 Utility Improvements Project, Municipal Project 4118
17. Accept the 20-Year Maintenance Plan (2026-2045) for Sanitary Sewer and Stormwater Lift Stations
18. Approve the Knife River Corporation – North Central Change Order No. 7 to Extend the Final Completion Date for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project Number 4424
19. Adopt Resolution No. 2025-063 To Parking Restrictions on Hinckley Road from Berrywood Drive to Douglas Fir Drive
20. Adopt Resolution No. 2025-064 to Parking Restrictions on Independence Road
21. Adopt Resolution No. 2025-065 to Parking Restrictions on Janesville Road from Timberwood Drive to the east end
22. Adopt Resolution No. 2025-066 to Parking Restrictions on Timberwood Drive from Trunk Highway 210 to Janesville Road

23. Adopt Resolution No. 2025-067 to Parking Restrictions on Ironwood Drive from Mapleton Road (County Road 170) to the Cul-de-Sac
24. Accept Planning and Zoning Commission Minutes from August 12, 2025
25. Adopt Resolution 2025-068 approving conditional use permits for motor vehicle repair and joint access for property located north of 7399 Garrison Road
26. Adopt Resolution 2025-069 approving a variance to allow a porch to extend into the front yard setback for property located at 12609 Chestnut Drive
27. Approve Annual Amendments to the City Hunting Map
28. Authorize Contract Execution of MetLife Private Paid Family and Medical Leave Coverage and Ancillary Insurance Coverage beginning in 2026

MOTION by Council Member Cross, seconded by Council Member Lyscio to approve the consent agenda. Motion carried unanimously.

PULLED AGENDA ITEMS

None.

OTHER BUSINESS

29. Adopt Resolution No. 2025-062 Ordering Improvement and Preparation of Plans for the 2026 Clearwater Road, North Lynndale Area, and Brentwood Circle Street and Utility Improvements Project, Municipal Project No. 4068

City Administrator Chapulis explained the city is considering moving forward with the improvement project, which was tabled at the last meeting. The project requires a 4/5 vote from the council to move forward due to Minnesota Statutes 429.

The council discussed that the scope of the improvement project has not changed since the project was previously discussed. The council also discussed they would like to reevaluate the number of years property owners have to connect to the city's municipal system and the assessment term. The council also discussed the project cost and the city's contribution towards the project and the need to review a capital improvements plan to determine the impact of projects on the city's budget.

MOTION by Council Member Tabatt, seconded by Council Member Sundberg to Adopt Resolution No. 2025-062 Ordering Improvement and Preparation of Plans for the 2026 Clearwater Road, North Lynndale Area, and Brentwood Circle Street and Utility Improvements Project, Municipal Project No. 4068. Motion carried with Mayor Olson and Council Members Lyscio, Tabatt, and Sundberg voted yes. Council Member Cross voted no. Motion carried.

30. Vacate a drainage & utility easement on Lots 14 & 15, Block 6, Bitterroot

- 1) PUBLIC HEARING at 7:00 p.m. or shortly thereafter

- 2) Adopt Resolution 2025-070 vacating a drainage & utility easement for property located in the NW corner of Cosmos Road & Rockrose Drive

Community Development Director Doty explained the applicant has submitted an administrative lot consolidation application to consolidate lots 14 and 15, Block 6, Bitterroot. The Bitterroot plat indicates a 5-foot wide drainage and utility easement on either side of the lot line dividing the two lots. As part of the administrative lot consolidation, the applicant needs to vacate the drainage and utility easement between the two affected lots. The applicant would like to consolidate the two lots to construct a future home.

Mayor Olson opened the public hearing at 7:17 p.m. and after hearing no public comments, closed the public hearing at 7:17:30 p.m.

MOTION by Council Member Lyscio, seconded by Council Member Tabatt to Adopt Resolution 2025-070 vacating a drainage & utility easement for property located in the NW corner of Cosmos Road & Rockrose Drive. Motion carried unanimously.

COUNCIL COMMENTS

- 31. Connie Lyscio – No comment.
- 32. Zach Tabatt – Due to the city not having an improvement hearing to consider at this time, Council Member Tabatt agrees with Council Member Cross that staff needs to present a financial plan for the council to review. Council Member Tabatt would also like the council to discuss allowing a vertical mixed use zoning classification along highway 371, including the second layer, to be constructed without a long regulatory process.

Mayor Olson and Council Member Sundberg were supportive of the council having the discussion.

- 33. Patrick Sundberg – No comment.
- 34. Mark Cross – Inquired when the council can expect to see the capital improvements plan.

Finance Director Vacinek explained he is currently working on the capital improvements plan, and the council can expect to view the plan by the end of the year.

- 35. Darrel Olson – Expressed appreciation to the property owners involved with the improvement project discussion.

CITY ADMINISTRATOR'S REPORT

City Administrator Chapulis explained the special council budget work session scheduled for August 26th has been postponed to the September 2nd council work session.

City Administrator Chapulis asked the council to enter into a closed session as identified on the council agenda.

MOTION by Council Member Lyscio, seconded by Council Member Tabatt to enter into a closed session as identified on the council agenda at 7:25 p.m.

Renee Richardson, with the Brainerd Dispatch, announced she objects to the council entering into a closed session for agenda item 38 for potential litigation pertaining to Whiskey Creek Stormwater Project as the statute allows a closed session for pending or threatened litigation, not potential litigation.

Motion carried unanimously.

CITY ATTORNEY'S REPORT

36. The City Council will meet in closed session pursuant to Minn. Stat. Section 13D.05 Subd. 3(b) for an Attorney-Client privileged discussion, to discuss Crow Wing County District Court File No. 18-CV-24-3003
37. The City Council will meet in closed session pursuant to Minn. Stat. Section 13D.05 Subd. 3(b) for an Attorney-Client privileged discussion, to discuss Crow Wing County Court File No. 18-CV-25-857
38. The City Council will meet in a closed session pursuant to Minn. Stat. Section 13D.05 subd. 3(b) for an Attorney-Client privileged discussion, to discuss potential litigation pertaining to Whiskey Creek Stormwater Project
39. The City Council will meet in a closed session pursuant to Minn. Stat. Section 13D.03, to discuss Labor Negotiations

MOTION by Council Member Cross, seconded by Council Member Lyscio to return to an open session at 9:03 p.m. Motion carried unanimously.

City Administrator Chapulis explained the council will not be taking any action on the closed session agenda items.

ADJOURN

MOTION by Council Member Lyscio, seconded by Council Member Cross to adjourn at 9:04 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator