BAXTER

"A Growing Community"

CITY COUNCIL MEETING MINUTES

Tuesday, May 07, 2024 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, Jeff Phillips, and Mark Cross were present.

City Administrator Brad Chapulis, Community Development Director Josh Doty, Police Chief Jim Exsted, IT/GIS Director Todd DeBoer, Public Works Director Trevor Walter and Finance Director Jeremy Vacinek were present.

PLEDGE OF ALLEGIANCE

All joined Mayor Olson in reciting the Pledge of Allegiance.

PRESENTATIONS

None.

ADDITIONS OR CHANGES TO THE AGENDA

City Administrator Chapulis explained the dollar amount in items 12 and 13 has been correct from $197,000 to $215,120.17 to reflect the five properties that preserved their right to appeal under Minnesota Chapter 429. Item number 20 has been added to the agenda to adopt Resolution 2024-045, submitting application for PROTECT funds for the 2026 T.H. 371 and College Road Area Stormwater Improvements Project, Municipal Project No. 4137.

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

David Lang, 13838 Cherrywood, getting charged for storm sewer and he doesn't have storm sewer and would like to know if the city is going to install storm sewer or if it will be removed from the bill and inquired about future street improvements to Cherrywood and expressed concerns about garbage trucks and snow plows causing damage to the roadway due to weight.

A member of the audience asked to discuss the paving of Donald Street. Mayor Olson explained agenda item 12 can be pulled to discuss.

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 April 16, 2024

2. Approve City Council Minutes from April 16, 2024

3. Approve City Council Special Minutes from April 25, 2024

4. Approve City Council Special Minutes from April 25, 2024

5. Approve the Payment of Bills and Finance Report (Addendum A)

6. Accept the Cemetery Commission Minutes from April 29, 2024

7. Approve Appointment to the Seasonal Position of Park Attendant

8. Approve Appointment to the Seasonal Position of Roadside Mower

9. Approve Appointment to the Seasonal Position of Streets and Utilities Maintenance

10. Adopt Resolution 2024-040 Authorizing the Mayor and City Administrator to Execute and Submit Community Impact Fund Application

11. Approve Purchase of Ricoh Multifunction Device from Metro Sales

12. Adopt Resolution No. 2024-041 Adopting Assessment Rolls for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project Municipal Project No. 4424

13. Adopt Resolution 2024-034 for Accepting the Bid from Knife River Corporation – North Central in the amount of $3,843.672.50 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project Municipal Project No. 4424

14. Adopt Resolution 2024-044 Approving the Daniel Cochran Assessment Waiver Agreement for the 2024 South Forestview Area Improvements Project, Municipal Project No. 4138

15. Adopt Resolution No. 2024-042 Revising Hearing Date on Improvements for the 2024 CSAH 77 Utility Improvements Project, Municipal Project No. 4118

16. Approve First Amendment to Development Agreement (Menard, Inc)

17. Approve First Amendment to Limited Use Agreement (Menard, Inc)

18. Approve First Amendment to Stormwater Facilities Maintenance Agreement with Access Rights and Covenants (Menard, Inc)

19. Accept Sourcewell Community Solutions Grant

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

PULLED AGENDA ITEMS

Council Member Cross asked to pull consent agenda items 12 and 13.

Robert Roehrich, 6042 Donald Street, explained not everyone on Donald Street can afford the improvements and asked the council to postpone the improvement as the condition of the road isn't bad. The people of Baxter have over 40 million in stock and bonds and the city wants to charge interest for the improvement, and why don't we liquate some funds to pay for the project or loan the money to the people at 1% interest.

Rita Miller, Cottage Grove Drive, explained property taxes have increased every year and is unable to afford the assessment.

Finance Director Vacinek clarified the city does not own any stocks as a city is not allowed to own stocks. The city's investments are dedicated to specific funds, such as sales tax funds can not be used for street improvements. The city cannot liquidate funds to pay for unrelated project costs. The city issues bonds to pay for the projects to finance the city's costs and the special assessments. After the bonds are sold this fall, a new record of assessment will be mailed to property owners with the final interest rate.

Members of the audience provided the council with several various comments.

The council discussed the city annually hold a public hearing to review the budget, what level of street condition is acceptable to the residents, and how much the city has currently invested in the improvement project.

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to Adopt Resolution No. 2024-041 Adopting Assessment Rolls for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project Municipal Project No. 4424. Motion carried with Council members Tabatt and Lyscio and Mayor Olson voting yes and Council Members Cross and Phillips voting no.

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to Adopt Resolution 2024-034 for Accepting the Bid from Knife River Corporation – North Central in the amount of $3,843.672.50 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project Municipal Project No. 4424. Motion carried with Council members Tabatt and Lyscio and Mayor Olson voting yes and Council Members Cross and Phillips voting no.

OTHER BUSINESS

20. Adopt Resolution 2024-045 Submitting Application for PROTECT Funds for the 2026 T.H. 371 and College Road Area Stormwater Improvements Project, Municipal Project No. 4137

Alex Bitter, with Widseth, explained the city is seeking $600,000 in PROTECT funds to help pay for stormwater management and surface water overflow improvements from the College Road stormwater basin to CSAH 48. The project includes the construction of a combination of stormwater pipe, stormwater treatment basin and ditching to convey stormwater and surface water overflows south towards the Mississippi River. In 2020 the city completed the first phase surface water overflow project from CSAH 48 to the Mississippi River with the North Forestview Area Improvements Project. The improvements included in this funding application would complete the second and final phase of the overflow project.

MOTION by Council Member Cross, seconded by Council Member Lyscio to Adopt Resolution 2024-045 Submitting Application for PROTECT Funds for the 2026 T.H. 371 and College Road Area Stormwater Improvements Project, Municipal Project No. 4137. Motion carried unanimously.

COUNCIL COMMENTS

21. Connie Lyscio – Explained there is a lot of traffic and asked everyone to drive safely.

22. Zach Tabatt – No comment.

23. Jeff Phillips - No comment.

24. Mark Cross – Explained he has received comments about residents inquiring about a new city hall and would like to see it go to a referendum to hear comments from citizens.

25. Darrel Olson – No comment.

CITY ADMINISTRATOR'S REPORT

City Administrator Chapulis reminded the council of the May 16th council retreat/work session, the Lofts on Novotny tour on May 13th at 5:00 p.m., and the utilities commission meeting on May 22nd at 5:30 p.m. to discuss well rehabilitation.

CITY ATTORNEY'S REPORT

No report.

ADJOURN

MOTION by Council Member Tabatt, seconded by Council Member Lyscio to adjourn at 8:06 p.m. Motion carried unanimously.

Approved by:

_____
Darrel Olson
Mayor

Respectfully submitted,

_____
Kelly Steele
Assistant City Administrator