

BAXTER UTILITY COMMISSION MINUTES

May 4, 2022

5:30 PM

1. Call to Order

The regular meeting of the Baxter Utilities Commission was called to order at 5:30 p.m. by Council Liaison Mark Cross.

2. Roll Call

MEMBERS PRESENT: Commissioners Jack Christofferson, Douglas Stenberg, and Council Liaison Mark Cross.

MEMBERS ABSENT: Commissioner John Brenny and Chairman Rock Yliniemi.

STAFF PRESENT: Assistant City Engineer Trevor Thompson and Administrative Assistant Mary Haugen.

OTHERS PRESENT: Bolton & Menk Consulting Engineer Bryan Drown and Derek Arens, SEH Consulting Engineer Scott Hedlund, and WiDSETH Consulting Engineer Alex Bitter.

3. Consent Agenda

A. Approve the Utilities Commission Minutes of April 6, 2022.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to approve the Utilities Commission Minutes of April 6, 2022. Motion unanimously approved.

Business Item

4. Approve Zip's Car Wash Development Agreement.

Assistant City Engineer Thompson reviewed the Zip's Car Wash Development Agreement. The proposed agreement is an update to what was presented to City Council with the approval of the Four Seasons Car Wash on Glory Road in 2021.

The property has been sold to Spirit Realty, L.P. and Zip's Car Wash has submitted a building permit to construct a new car wash. The previous Development Agreement with Four Season's Car Wash was never recorded because there were numerous attachments that were never finalized with the Owner.

Mr. Thompson had no concerns with the agreement and recommended approval.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to approve Zip's Car Wash Development Agreement. Motion unanimously approved.

5. Approve Zip's Car Wash Stormwater Facilities Maintenance Agreement.

Assistant City Engineer Thompson reviewed the Stormwater Facilities Maintenance Agreement for Zip's Car Wash.

The proposed agreement is an update to what was presented to City Council with the approvals of the Four Seasons Car Wash on Glory Road in 2021. The property has been sold to Spirit Realty, L.P. and Zip's Car Wash has submitted a building permit to construct a new car wash.

The previous stormwater facilities maintenance agreement with Four Season's Car Wash was never recorded because Attachment B was never finalized as the Owner never submitted their final Civil drawings. The attached agreement was revised to change the Owner information to Spirit Realty, L.P.

Mr. Thompson had no concerns with the Stormwater Facilities Maintenance Agreement and recommended approval.

MOTION by Jack Christofferson, seconded by Douglas Stenberg to approve Zip's Car Wash Stormwater Facilities Maintenance Agreement. Motion unanimously approved.

6. Water Treatment Plant Improvements Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the Water Treatment Plant Improvements Project Monthly Update. Assistant City Engineer Thompson gave a brief update on the start up of the plant.

7. Approve the Northern Plains Contracting Inc. Partial Pay Estimate No. 8 in the amount of \$78,362.78 for the Water Treatment Plant Improvements Project.

SEH Consulting Engineer Hedlund reviewed Partial Pay Estimate No. 8 in the amount of \$78,362.78 for the Water Treatment Plant Improvements Project.

The Contractor has earned \$1,798,868.34 to date which represents 95% of the contract value. In accordance with the Agreement, 5% of the amount earned is being retained which results in \$1,708,924.92 being eligible for payment to date. The City previously paid \$1,630,562.14 requested by Partial Pay Estimate Numbers 1 through 7, leaving \$78,362.78 requested in Pay Application 8.

Mr. Hedlund has no concerns with Partial Pay Estimate No. 8 and recommends approval.

MOTION by Jack Christofferson, seconded by Douglas Stenberg to approve the Northern Plains Contracting Inc. Partial Pay Estimate No. 8 in the amount of \$78,362.78 for the Water Treatment Plant Improvements Project. Motion unanimously approved.

8. Approve SEH Agreement for Preparation of Water System Capital Improvement Plan Document in the Not to Exceed Amount of \$15,000.00.

SEH Consulting Engineer Hedlund informed the commission that the City has been working towards a Capital Improvement Plan (CIP) for the entire water

system. City staff will work with SEH and provide a lot of the information needed for the CIP. Below is a breakdown of the asset groups and final deliverables that will be included in the CIP.

Water System CIP document asset groups to be included:

- 1. Well Facilities**
- 2. Water Treatment Facilities**
- 3. Water Storage Facilities**
- 4. Water Pumping Facilities**
- 5. Water Interconnect Facilities**
- 6. Water Main Assets**
- 7. Hydrant Assets**

Final Water System CIP document:

- 1. Preparation will follow the Task/Hour//Fee schedule included this document.**
- 2. Will identify assumed Consumer's Price Index (CPI) title and monthly time stamped value.**
- 3. Will set all values as June 2022 present worth.**
- 4. Will be set up to allow for Client's future CPI entries and yearly inflation percentages to assist with Client's estimate of future asset replacement values.**

Mr. Thompson explained the CIP will help protect the investment the City has into the water system. As mentioned with the Needs Assessment, if a CIP had been put in place for the WTP it is likely that a lot of the issues could have been identified/repared prior to having a catastrophic failure like what happened. The CIP will not only help with scheduling maintenance but help with budgeting. The Needs Assessment from the Water Treatment Plant that was adopted by City Council on July 20th, 2021 will be incorporated into the CIP report.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to approve SEH Agreement in the Not to Exceed Amount of \$15,000.00 for Preparation of Water System Capital Improvement Plan Document. Motion unanimously approved.

- 9. 2023 Cypress Drive and Douglas Fir Drive Extension Project Monthly Update.**

Council Liaison Cross inquired if there were any questions or concerns with the 2023 Cypress Drive and Douglas Fir Drive Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

- 10. Approve the WiDSETH Agreement for Geotechnical Evaluation Report Services for the Cypress Drive and Douglas Fir Extension Project, in the Not to Exceed Amount of \$7,825.**

WiDSETH Consulting Engineer Bitter reviewed the Agreement for Geotechnical Evaluation Report Services for the Cypress Drive and Douglas Fir Extension Project. The project is scheduled to be designed this summer and bid in November 2022. To meet this schedule the geotechnical evaluation should

be completed in late May or early June just prior to design.

The Geotechnical Evaluation Report includes soil borings for the new roadway sections and pavement cores and hand auger borings for the full depth reclamation portion of the project. The report will include recommendations for utility (sanitary sewer, water and storm sewer) and roadway design and construction.

WiDSETH will sub-consult with Braun Intertec, Inc. to complete the required soil borings, pavement cores and hand augers along with preparation of the geotechnical report. WiDSETH will coordinate the work, stake boring locations and survey final boring coordinates and elevations.

Mr. Bitter stated the information that is obtained will be incorporated into the project design. Mr. Thompson had no concerns with the agreement and recommended approval.

MOTION by Jack Christofferson, seconded by Douglas Stenberg to approve the WiDSETH Agreement for Geotechnical Evaluation Report Services in the not to exceed amount of \$7,825 for the Cypress Drive and Douglas Fir Extension Project. Motion unanimously approved.

11. Approve the WiDSETH Agreement for Assistance with the Part II Wellhead Protection Plan Preparation in the Not to Exceed Amount of \$10,000.00.

WiDSETH Consulting Engineer Bitter reviewed the WiDSETH Agreement for assistance with Part II Wellhead Protection Plan Preparation. WiDSETH assisted City staff in working with the MDH to prepare the Part I WHP Plan.

The next step is to prepare Part II of the WHP Plan meeting MDH requirements. The first step in moving to Part II is to submit the WHP Area Delineation results, the Drinking Water Supply Management Area (DWSMA) boundaries, and the Vulnerability Assessment results to other local units of government (LUGs), so they can provide comments if desired. The City is then required to have a public meeting to communicate the results of the Part I WHP Plan and formalize acceptance of the WHP Area and the DWSMA.

Part II of the WHP Plan focuses on strategies to protect the WHP Area and DWSMA. As required by the MDH and Minnesota Rules 4720.5100 to 4720.5590, there are several tasks required to prepare Part II of the plan, including:

1. Attend second scoping meeting
2. Conduct a contamination source inventory
3. Describe impact of land use changes on public water supply
4. Identify issues, problems, and opportunities
5. Establish WHP goals
6. Prepare objectives and plan of action
7. Create an evaluation program
8. Develop a contingency plan

9. **Conduct a public hearing to provide information about the WHP Plan**
10. **Submit Part II WHP Plan to MDH**

The City has three years (due date August 29, 2025) to complete their Wellhead Protection Plan, but staff anticipates completing the Part II WHP Plan process in approximately one year. The second Scoping Meeting would be scheduled for late summer with most of the plan preparation in the fall and winter. The final plan will be submitted in the fall of 2023.

Mr. Thompson has no concerns with the agreement and recommends approval.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to approve the WiDSETH Agreement in the Not to Exceed Amount of \$10,000.00 for assistance with the Part II Wellhead Protection Plan Preparation. Motion unanimously approved.

12. **2022 Foley Road, Isle Drive and Forthun Road Improvements Project Monthly Update.**

Council Liaison Cross inquired if there were any questions or concerns with the 2022 Foley Road, Isle Drive and Forthun Road Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

13. **Approve Limited Use Agreement for R.L. Larson to use Tax Forfeited Property for Storage and Staging during Construction of the 2022 Foley Road, Isle Drive, and Forthun Road Improvements Project.**

Bolton & Menk Consulting Engineer Drown reviewed the Limited Use Agreement with R.L. Larson for the 2022 Foley Road, Isle Drive, and Forthun Road Improvements Project

At the April 6, 2022 Utility Commission meeting, R.L. Larson requested the use of city owned property at the northeast corner of Highland Scenic Road and Mountain Ash Drive for staging and stockpiling materials. The Utilities Commission approved this request with conditions, and that a limited use agreement is executed with R.L. Larson prior to utilizing the site.

City Administration expressed concern of using the location adjacent to a residential area and tasked the project team with identifying an alternative location. The City of Baxter had contacted Crow Wing County and received permission to utilize tax forfeited parcel no. 40070575 on Grouse Drive west of Forthun Road approximately 500' south of the Forthun Road and Foley Road intersection as the project storage and staging area. This parcel is closer to the project site and will take construction operations out of a residential neighborhood. This parcel has wetlands located on it and will have similar conditions placed on its use and a limited use agreement in place prior to it being utilized.

The Limited Use Agreement outlines the restrictions and requirements associated with using the parcel during construction. Mr. Thompson had no concerns with the limited use agreement and recommended approval.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to approve the Limited Use Agreement for R.L. Larson to use Tax Forfeited Property for Storage and Staging during Construction of the 2022 Foley Road, Isle Drive, and Forthun Road Improvements Project. Motion unanimously approved.

14. 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

15. Adopt Resolution No. 2022-xxx Approving Plans and Specifications and Ordering Advertisement for Bids for the 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements, Municipal Improvement No. 4121.

Bolton & Menk Consulting Engineer Arens reviewed the Trunk Highway (T.H.) 210 & Inglewood Drive Railway Crossing Improvements plans. The second component to this plan is the 2022 Foley Road, Forthun Road and Isle Drive Improvements project which will be starting construction in early June.

The specific improvements of this project involving relocation of the railroad crossing, street reconstruction, stormwater collection piping, street lights, signals, an RCI, and trails consisting of:

- 1. Remove south leg of T.H. 210 and Knollwood Drive intersection, including the railroad crossing and connection to Foley Rd.**
- 2. Remove traffic signal at T.H. 210 and Knollwood Drive intersection and construct a Reduced Conflict Intersection (RCI) with street lighting system.**
- 3. Traffic signal and turn lane improvements on T.H. 210 at the intersection of Inglewood Drive.**
- 4. Storm sewer improvements on T.H. 210 at the intersections of Knollwood Drive and Inglewood Drive.**
- 5. Roadway, trail, and railway crossing improvements on Inglewood Drive from T.H. 210 to Foley Road.**

Mr. Arens stated that bids are scheduled to be received and publicly opened on Thursday, June 16, 2022. Mr. Thompson had no concerns with the project plans and recommended approval.

MOTION by Jack Christofferson, seconded by Douglas Stenberg to adopt Resolution No. 2022-xxx Approving Plans and Specifications and Ordering Advertisement for Bids for the 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements, Municipal Improvement No. 4121. Motion unanimously approved.

16. Approve the Bolton & Menk Plans and Specifications and Authorize Advertisements for Bids for the 2022 Micro Surfacing Project.

Bolton & Menk Consulting Engineer Drown reviewed the plans and specifications for the 2022 Micro Surfacing Improvements Project. The project includes the residential area located west of Memorywood Drive, north of T.H. 210, east of Oakwood Drive and south of Cedar Scenic Road. These segments were identified as micro surfacing candidates as they have 2019 PASER ratings of 6 & 7 and exhibit slight to moderate surface distress.

Mr. Drown stated it is anticipated that unit costs will be higher this year. In speaking with last year's micro surfacing contractor, ASTECH, the price of bituminous material is currently changing on a daily basis. Mr. Drown has structured the plans and specifications to include 70% (by area) of the identified streets as a base bid and the remaining 30% as a bid alternate to structure a project to be in the range of a construction cost of \$310,000.00. Bids received will be analyzed to identify streets to be completed within budget restraints.

Mr. Thompson had no concerns and recommended approval of the project plans and authorize staff to bid the project.

MOTION by Douglas Stenberg, seconded by Jack Christofferson to Bolton & Menk Plans and Specifications and Authorize Advertisements for Bids for the 2022 Micro Surfacing Project. Motion unanimously approved.

17. Information Only

- A. 2021 Mill & Overlay and Full Depth Reclamation Improvement Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the 2021 Mill & Overlay and Full Depth Reclamation Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

- B. 2022 Full Depth Reclamation and Reconstruction Improvements Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the 2022 Full Depth Reclamation and Reconstruction Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

- C. 2023 Knollwood Drive Improvements Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the 2023 Knollwood Drive Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

- D. Crow Wing County 2022-2026 Highway Improvement Plan Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the Crow Wing County 2022 - 2026 Highway Improvements Project Update. There was no new information or questions from the commission or the public.

- E. CSAH 48 Corridor Traffic Study Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the CSAH 48 Corridor Traffic Study Monthly Update. There was no new information or questions from the commission or the public.**
- F. Eagle Drive Area Improvements Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Eagle Drive Area Improvements Project Monthly Update. There was no new information or questions from the commission or the public.**
- G. Holiday Station Contamination Assistance Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Holiday Station Contamination Assistance Project Monthly Update. There was no new information or questions from the commission or the public.**
- H. Inglewood Drive Drainage Improvements Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Inglewood Drive Drainage Improvements Project Monthly Update. There was no new information or questions from the commission or the public.**
- I. Lift Station No. 14 Improvements Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Lift Station No. 14 Improvements Project Monthly Update. There was no new information or questions from the commission or the public.**
- J. Lift Station No. 16 Improvements Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Lift Station No. 16 Improvements Project Monthly Update. There was no new information or questions from the commission or the public.**
- K. Section 6 Area A1 Stormwater Outlet Improvements Project & Right-of-Way Acquisition Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Section 6 Area A1 Stormwater Outlet Improvements Project and Right-of-Way Acquisition Monthly Update. There was no new information or questions from the commission or the public.**
- L. T.H. 210 Street Lighting Improvements Project Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the T.H. 210 Street Lighting Improvements Project Monthly Update. There was no new information or questions from the commission or the public.**
- M. Title 8, Chapter 2 – Sewer Use and Service, of the Baxter City Code Monthly Update.
- Council Liaison Cross inquired if there were any questions or concerns with the Title 8, Chapter 2 - Sewer Use and Service, of the Baxter City Code Monthly**

Update. There was no new information or questions from the commission or the public.

N. Wastewater Treatment Plant Charges for March 2022.

Council Liaison Cross inquired if there were any questions or concerns with the Wastewater Treatment Plant Charges for March 2022. There was no new information or questions from the commission or the public.

O. Whiskey Creek Stormwater Improvements Project Monthly Update.

Council Liaison Cross inquired if there were any questions or concerns with the Whiskey Creek Stormwater Improvements Project Monthly Update. There was no new information or questions from the commission or the public.

18. Adjourn

MOTION by Douglas Stenberg, seconded by Jack Christofferson to adjourn the meeting at 6:00 p.m. Motion unanimously approved.

Approved by:

Respectfully submitted,

Jack Christofferson
Vice Chair

Mary Haugen
Public Works Administrative Assistant