ITEM REPORT
UTILITIES COMMISSION

Agenda Date: 10/7/2026
Agenda Section: Business Item

Department Origination: Public Works

Agenda Item: Approve the Crow Wing Power Limited Use Agreement

Approval Required: Simple Majority Vote

BACKGROUND

On August 20, 2019, the City entered into an Option Agreement with Crow Wing Power. The agreement was formulated in conjunction with the exchange of property along Jasperwood Drive near the intersection of Mapleton Road by their substation to allow for the construction of a bituminous trail.

On December 16, 2025, council adopted Resolution 2025-098 approving the Preliminary and Final Plat of "Second Potlatch Addition to Baxter". Included in the plat is Outlot A that is being sold to Crow Wing Power. The resolution included a condition (No. 3) as follows:

> "Enter into a Limited Use Agreement prior to the transaction of selling the property to Crow Wing Power. Included in this condition is the requirement to construct the gated temporary minimum maintenance private access road to a 10-ton design with the first 40' being paved from the end of the existing pavement on Janesville Road.

This agreement fulfills the requirement outlined as condition No. 3 of Resolution 2025-098.

FINANCIAL IMPLICATIONS

The City has incurred costs with the City Attorney drafting the agreement, the cost associated with constructing the improvements for Crow Wing Power to access their substation will be paid by Crow Wing Power.

STAFF RECOMMENDATIONS

Staff recommends approving the Limited Use Agreement.

COUNCIL ACTION REQUESTED

MOTION to approve the Crow Wing Power Limited Use Agreement.