



# UTILITIES COMMISSION MEETING MINUTES

Wednesday, November 08, 2023 at 5:30 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

*"A Growing Community"*

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## CALL TO ORDER

The regular meeting of the Baxter Utilities Commission was called to order at 5:30 p.m. by Chairman Yliniemi.

## ROLL CALL

**Members Present:** Commissioners Jack Christofferson, Douglas Stenberg, Chairman Rock Yliniemi, and Council Liaison Mark Cross.

**Members Absent:** Commissioner John Brenny.

**Staff Present:** Public Works Director/City Engineer Trevor Walter, Assistant City Engineer Trevor Thompson, and Administrative Assistant Mary Haugen.

**Other Present:** Bolton & Menk Consulting Engineer Bryan Drown, HR Green Consulting Engineer Tyler Maxon and Derek Lindquist, SEH Consulting Engineers Alex Voit, Neil Heinonen and Scott Hedlund, and Widseth Consulting Engineer Alex Bitter, WIDSETH Geologist Brian Ross and WIDSETH Scientist Duncan Widman.

## CONSENT AGENDA

### 1. Approve the Utilities Commission Minutes from October 4, 2023

**MOTION** made by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Utilities Commission Minutes from October 4, 2023. Motion carried unanimously.

## BUSINESS ITEMS

### 2. Recommend Planning and Zoning Commission Approve the Dykhuizen Conditional Use Permit

Assistant City Engineer Thompson reviewed the Conditional Use Permit for Brandon Dykhuizen. Mr. Dykhuizen owns a residential lot on Lynwood Drive and is requesting to move an existing 1,029 square foot single-family home and detached garage onto the residential lot.

The applicant has stated their intention to connect to municipal water and sanitary sewer as required per code and stated the intent is to homestead this property and make it their primary residency. Per City code, moving or relocating a building requires a City Moving Permit.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to recommend the Planning and Zoning Commission approve the Dykhuizen Conditional Use Permit with the condition of requiring a City Moving Permit. Motion carried unanimously.

### 3. Whiskey Creek Stormwater Improvements Project Monthly Update

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

4. **Approve the HR Green, Inc. Contract Amendment in the additional amount of \$88,570.00 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292 in the not to exceed total contract amount of \$431,969.00 and amend the Whiskey Creek stormwater budget in the Stormwater Enterprise Fund for the additional amount of \$212,764.59**

HR Green Consulting Engineer Maxon explained the contract amendment is to complete unanticipated work beyond the original scope of the project. An additional change order was required and another one is expected. Easements and material testing were required for construction. Construction has been extended to the spring of 2024, and additional services will be needed.

This request falls into the stormwater wetland design and construction task as well as an additional Landscaping phase. The City of Baxter broke out the landscaping portion of the Whiskey Creek Project into its own construction project due to additional funds secured from the Crow Wing SWCD. HR Green's tasks for this segment of the project should be assigned to a new third phase.

Phase 2 – Design and Construction:

1. Private Property Flood Mitigation - Additional grading and seeding on private property adjacent to the site owned by Bernard and Linda Roberts to minimize flood impacts on the low portion of their parcel. This task also includes easement work and coordination.
2. Easement Preparation - HR Green prepared temporary construction easements and coordinated with Good Samaritan on permanent easements requested by the City.
3. Construction administration services for spring construction – With construction extending to spring, additional services are needed for construction observation and management of the project.
4. Change Orders - Design and coordination for plan changes and documentation on two additional change orders.
5. Soil and material testing – Services to test materials during construction to ensure they meet construction specifications.

Phase 3 – Plantings and Turf Establishment:

1. Landscaping Plans & Specifications - Development of two plansets (interim and full build out) and specifications for the separate landscaping project to occur in the spring of 2024.
2. Landscaping Advertisement/Bidding/Award - Assistance with the bid process of the landscaping project from advertisement through contractor selection and preparation of construction documents.
3. Landscaping Construction Administration - Construction administration services for the landscaping project to occur in the spring of 2024.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the HR Green, Inc. Contract Amendment in the additional amount of \$88,570.00 for the Whiskey Creek Stormwater Improvements Project, Municipal Project No. 200292 in the not to exceed total contract amount of \$431,969.00 and amend the Whiskey Creek stormwater budget in the Stormwater Enterprise fund for the additional amount of \$212,764.59. Motion carried unanimously.

5. **Approve JR Ferche Inc. Change Order No. 3 in the Increased Amount of \$75,004.38 for the Whiskey Creek Stormwater Improvements Project**

HR Consulting Engineer Maxon reviewed Change Order No. 3 in the increased amount of \$49,190.21 for the Whiskey Creek Stormwater Improvements Project.

Change Order No. 3 includes the following item:

- Poor soils were discovered under the proposed concrete pad which required additional subgrade. To prevent erosion on the underwater sidewalls of the pre-treatment forebay, additional riprap was added. Riprap was added at the 72" outlet structure from the wetland to prevent scour. The concrete ramp down to the pre-treatment forebay was re-routed to avoid driving over sand which added concrete area. Seeding was added to the mulched areas to reduce erosion in the spring. Pipe lengths were adjusted to better match embankment slopes.

Mr. Maxon had no concerns with Change Order No. 3 and recommended approval. Mr. Maxon noted there will be another change order before the commission in December to address the work done when the berm washed out due to the heavy rains in the first part of November.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve J.R. Ferche Inc. Change Order No. 3 in the increased amount of \$75,004.38 for the Whiskey Creek Stormwater Improvements Project. Motion carried unanimously.

**6. Approve the J.R. Ferche, Inc. Partial Pay Estimate No. 2 in the amount of \$243,303.08 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292**

HR Consulting Engineer Maxon reviewed Partial Pay Estimate No. 2 in the amount of \$243,303.08 for the Whiskey Creek Stormwater Improvements Project.

The Contractor has earned \$446,180.00 to date which represents 43.2% of the revised contract value. In accordance with the agreement, 5% of the contract value (\$22,309.00) is being retained, which results in a total payment of \$243,303.08.

Mr. Maxon had no concerns with Partial Pay Estimate No. 2 and recommended approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the J.R. Ferche, Inc. Partial Pay Estimate No. 2 in the amount of \$243,303.08 for the Whiskey Creek Stormwater Improvements Project. Motion carried unanimously.

**7. Approve the Bolton & Menk Agreement for Professional Services in the Not to Exceed Amount of \$14,704.00 for 2024 CIP and Pavement Management GIS Assistance**

Bolton & Menk Consulting Engineer Drown presented the Proposal for Engineering Services for CIP and GIS Assistance. Mr. Drown explained that Bolton & Menk has assisted in the development and management of the City's pavement management program and respective street capital and sealcoat programs.

Public Works Director/City Engineer Walter stated this is a maintenance contract to keep the GIS current with management programs and is used as needed. Mr. Walter asked Mr. Drown how much of the 2023 contract remains. Mr. Drown stated that the full contract was used in 2023.

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

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Bolton & Menk Agreement for Professional Services in the Not to Exceed Amount of \$14,704.00 for 2024 CIP and Pavement Management GIS Assistance. Motion carried unanimously.

**8. Approve Bolton & Menk Proposal for Engineering Services in the not to exceed amount of \$38,000 for the 2024 Micro Surfacing Project**

Bolton & Menk Consulting Engineer Drown presented the Proposal for Engineering Services for the 2024 Micro Surfacing Project in the not to exceed amount of \$38,000.00. The City Pavement Management Plan identifies the 2024 micro surfacing project as Fairview Road from west of Memorywood Drive to Inglewood Drive, Maplewood Drive, Kenwood Drive north of Sandstone Road, Kenwood Court, Glenwood Drive, Madeline Drive, John Street, Mary Street, and the Southdale neighborhood.

The proposed street segments are highlighted in blue on the attached map book sheets from the 2022 PASER Rating. These segments were identified as micro surfacing candidates as they were paved in 2016 and exhibit slight to moderate surface distress.

Public Works Director/City Engineer Walter requested the total miles of micro surfacing be added to the City Council RCA. Mr. Walter informed the commission this information is being presented earlier in the year in order to bid the project the first part of the year to set a better schedule for the driest time in the summer.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Bolton & Menk Proposal for Engineering Services in the not to exceed amount of \$38,000 for the 2024 Micro Surfacing Project. Motion carried unanimously.

**9. Foley Road, Isle Drive, and Forthun Road Improvements Project Monthly Update, City Improvement No. 4114**

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

**10. Approve the RL Larson Excavating, Inc. Pay Estimate No. 10 (Final) in the amount of \$57,799.58 and increasing the project budget by \$2,448 to \$4,973,828 for the 2022 Foley Road, Isle Drive, and Forthun Road Improvements Project, City Improvement No. 4114**

Bolton & Menk Consulting Engineer Drown reviewed Partial Pay Estimate No. 10 (Final) in the amount of \$57,799.58 for the 2022 Foley Road, Isle Drive, and Forthun Road Improvements Project. Mr. Drown stated the project was overbudget by \$2,448.00 which was due to the cleanup of contaminated soils at the project staging site.

Mr. Drown has no concerns with Final Pay Estimate No. 10 and recommended approval. The contractor has submitted the required IC-134's.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the RL Larson Excavating, Inc. Partial Pay Estimate No. 10 (Final) in the amount of \$57,759.99 for the 2022 Foley Road, Isle Drive, and Forthun Road Improvement Project, City Improvement No. 4114 and increasing the project budget by \$2,448 to \$4,973,828. Motion carried unanimously.

**11. 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements Project Update - City of Baxter - Municipal Project No.: 4121 BMI Project No. T42.120675**

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

- 12. Approve the BNSF Invoices 90258785 in the amount of \$4,197.60 and Invoice 90259254 in the amount of \$901.86 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121**

Bolton & Menk Consulting Engineer Drown reviewed the BNSF Invoice 90258785 which includes work completed between 7/31/2023 and 8/27/2023 related to the railway signal. BNSF Invoice 90258785 includes bill preparation and professional services and travel expenses for engineering firm Benesch & Associates and Invoice 90259254 includes bill preparation and material cost.

Mr. Drown has no concerns with BNSF Invoice 90258785, BNSF Invoice 90259254 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the BNSF Invoice 90257963 in the amount of \$4,197.60 and BNSF Invoice 90259254 in the amount of \$901.86 for the 2022 TH 210 and Inglewood Drive Improvements Project. Motion carried unanimously.

- 13. Approve the Anderson Brothers Construction Partial Pay Estimate No. 10 in the amount of \$99,498.22 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121**

Bolton & Menk Consulting Engineer Drown reviewed Partial Pay Estimate No. 10 in the amount of \$99,498.22 for the 2022 T.H. 210 and Inglewood Drive Improvements Project.

The Contractor has earned \$2,282,992.29 to date which represents 98% of the contract value and the city has previously reimbursed the contractor \$44,951.46 for storm sewer items purchased in 2022. All storm sewers have been installed and the stored material is zeroed out in this pay estimate. With the project substantially complete the project retainage of 5% has been lowered to 1%, previous payments in the amount of \$2,160,664.14 were made to the contractor, which resulted in a payment of \$99,498.22.

Mr. Drown had no concerns with Partial Pay Estimate No. 10 and recommends approval.

Public Works Director/City Engineer Walter informed the commission that MnDOT is concerned about drainage at Inglewood Drive and T.H. 210. During heavy rain events the water backs up into the edge of the drive lane due to the minimum slope of TH 210 where Inglewood Drive ties into.

Staff brought this to MnDOT's attention so it could get addressed with their 2025 Mill and Overlay Project. MnDOT is reviewing but has put the City on notice that it may have to get resolved prior to closing the project.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Anderson Brothers Construction Partial Pay Estimate No. 10 in the amount of \$99,498.22 for the 2022 TH 210 and Inglewood Drive Improvements Project. Motion carried unanimously.

- 14. 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project Monthly Update**

SEH Consulting Engineer Voit informed the commission that Anderson Brothers Construction has laid off their crews for the season and the project is on hold until spring.

**15. Approve the Anderson Brothers Construction Company Change Order No. 3 in the increased amount of \$46,591.12 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project**

SEH Consulting Engineer Voit reviewed the Anderson Brothers Construction Change Order No. 3 in the increased amount of \$46,591.12 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project.

Change Order No. 3 includes the following items:

- Part 1 covers relocation of a power line by Crow Wing Power.
- Part 2 involves a number of underground modifications, repairs and additions, mainly storm sewer.
- Part 3 includes an additive to the seed and hydromulch mix to improve turf establishment.
- Part 4 makes changes to the aggregate quantities.
- Part 5 covers costs to locate and raise a missing existing valve.
- Part 6 covers miscellaneous grading and site clean-up items not included in the plans.
- Part 7 involves changes to two storm sewer manhole castings.
- Part 8 covers tree trimming along the trail on Cedar Scenic Road.
- Part 9 extends the substantial and final completion dates for the project.

Mr. Voit had no concerns with Change Order No. 3 and recommended approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Anderson Brothers Construction Change Order No. 3 in the increased amount of \$46,591.12 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project. Motion carried unanimously.

**16. Approve the Anderson Brothers Construction Company Partial Pay Estimate No. 4 in the amount of \$1,709,949.32 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project**

SEH Consulting Engineer Voit reviewed Partial Pay Estimate No. 4 in the amount of \$1,709,949.32 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project.

Partial Pay Estimate No. 4 is for work accomplished through October 20<sup>th</sup> and covers grading, paving, concrete flatwork and curb and gutter installation and striping.

Mr. Voit has no concerns with Partial Pay Estimate No. 4 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Partial Pay Estimate No. 4 in the amount of \$1,709,949.32 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project. Motion carried unanimously.

**17. 2023 Cypress Drive and Douglas Fir Drive Improvements Project Monthly Update**

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

**18. Approve SEH Fee Amendment No. 5 in the Not to Exceed Amount of \$95,500.00 for Additional Construction Phase Services and Amend the Project Budget in the Increased Amount of \$113,380.00 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project**

SEH Consulting Engineer Hedlund reviewed the SEH Fee Amendment for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project. The Fee Amendment includes the following items:

- The final construction scope increasing since the feasibility study, taking more time on all fronts for construction observation and oversight, and construction staking and surveying.
- Significant private utility coordination during the construction phase.
- 4-plex apartments septic system monitoring and sanitary sewer connections to the buildings.
- Additional construction staking and surveying requests.
- Additional property owner and public coordination.
- Additional construction subcontractor coordination.
- Additional construction observation and oversight.

Chair Yliniemi inquired if the 4-plexes were part of the original contract. Mr. Hedlund stated service stubs were planned for the new apartment complex but not connecting the 4-plex on Highland Scenic Road to sanitary sewer services..

Public Works Director/City Engineer Walter explained there was no plan to connect the 4-plex to city services; however, two drain fields had been compromised in the construction, which resulted in the need to connect the building to services. Mr. Bitter explained the septic system had to be monitored daily and pumped every 2 – 3 days. Staff did assist with quotes to connect the building to city water and sewer and the property owner hired the contractor.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the SEH Fee Amendment No. 5 in the Not to Exceed Amount of \$95,500.00 for Additional Construction Phase Services and Amend the Project Budget in the Increased Amount of \$113,380.00 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project. Motion carried unanimously.

**19. Approve the Kraemer Trucking & Excavating, Inc Change Order No. 5 in the increased amount of \$20,035.50 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project**

SEH Consulting Engineer Hedlund reviewed the Kraemer Trucking & Excavating Change Order No. 5 in the increased amount of \$20,035.50 for the 2023 Cypress Drive & Douglas Fir Drive Improvements Project.

Change Order No. 5 includes the following item:

- Part 1 covers electrical items for providing power to the new controller cabinet for the street lighting system and for moving an existing light pole to the other side of Berrywood Drive on the north side of CSAH 48.
- Part 2 covers providing flexamat tied concrete block mat (which is a riprap substitute) at 3 different flared end sections on the storm sewer at/near the roundabout at Cypress Drive/CSAH 48.
- Part 3 covers construction of a vinyl privacy fence for screening within the Cypress corridor.
- Part 4 covers boring electrical conduit under the south Cypress Court Apartments driveway off Cypress Drive.

Mr. Hedlund has no concerns with Change Order No. 5 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Kraemer Trucking & Excavating, Inc. Change Order No. 5 in the increased amount of \$20,35.50 for the 2023 Cypress Drive & Douglas Fir Drive Improvements Project. Motion carried unanimously.

**20. Approve the Kraemer Trucking & Excavating, Inc Partial Pay Estimate No. 6 in the amount of \$492,424.29 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project**

SEH Consulting Engineer Hedlund reviewed Partial Pay Estimate No. 6 in the amount of \$492,424.29 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project.

The pay estimate is for work accomplished through October 13<sup>th</sup> and includes pavement markings, grading, paving, concrete flat work, underground pipework, street lighting, and turf restoration items.

Mr. Hedlund had no concerns with Partial Pay Estimate No. 6 and recommended approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Kraemer Trucking & Excavating, Inc Partial Pay Estimate No. 6 in the amount of \$492,424.29 for the 2023 Cypress Drive and Douglas Fir Drive Improvements Project. Motion carried unanimously.

**21. 2024 South Forestview Improvements Project Monthly Update**

SEH Consulting Engineer Heinonen informed the commission that the City Council took action on a purchase agreement for fee title at the November 7<sup>th</sup> meeting.

**22. Award Winter Tree Clearing Quote to Shawn Fletcher Trucking, Inc. in the Estimated Amount of \$25,180.00 for 2024 South Forestview Improvements Project**

SEH Consulting Engineer Heinonen reviewed the three (3) quotes for clearing approximately 3.3 acres of tree clearing and 33 individual trees on city right of way or easement, and on City owned parcels with the project area prior to March 31, 2024. The resulting stumps will be grubbed with the main road project contract in Spring/Summer of 2024.

- DeChantal Excavating
- Pratt's Affordable Excavating                      \$43,735.00
- Shawn Fletcher Trucking                              \$25,180.00

Mr. Heinonen explained that due to the reclassification of the Northern Long-eared Bat from threatened to endangered, the U.S. Fish & Wildlife Service has issued a notice regarding the need to clear trees during the inactive season for the bats from November 1 to March 31<sup>st</sup>.

Commissioner Christofferson stated the tree clearing project should be clearly defined, the project area staked, and an inspector should be onsite during the removal process. Public Works Director/City Engineer Walter inquired if there would be a full-time inspector. Mr. Hedlund stated most likely the inspector will be spot checking; however, Mr. Heinonen stated the areas will be clearly marked.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to award the Winter Tree Clearing Quote to Shawn Fletcher Trucking, Inc. in the Estimated Amount of \$25,180.00 for 2024 South Forestview Improvements Project. Motion carried unanimously.

**23. Approve the Widseth Proposal for Professional Design and Biddings Services in the Not to Exceed Amount of \$10,850 for the 2024 Whiskey Creek Bridge Rehabilitation**



WiDSETH Consulting Engineer Bitter reviewed the Widseth Proposal for Professional Design and Biddings Services in the Not to Exceed Amount of \$10,850 for the 2024 Whiskey Creek Bridge Rehabilitation.

The Whiskey Creek Stormwater Project is under construction and there is a prefabricated bridge on site from the old golf course. The bridge is located where the access road crosses the creek, and the bridge has been incorporated into the project. It was noted in the report there was deterioration of the concrete bridge abutments.

Public Works Director/City Engineer Walter stated J. R. Ferche had removed the bridge until decisions have been made on the abutment repairs. Mr. Walter noted the deck boards will need to be replaced within the next 4 – 5 years.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Widseth Proposal for Professional Design and Biddings Services in the Not to Exceed Amount of \$10,850 for the 2024 Whiskey Creek Bridge Rehabilitation Project. Motion carried unanimously.

**24. Approve the Widseth Agreement for Professional Engineering Services in the Not to Exceed Amount of \$14,000.00 for the 2024 Lift Station 15 Reconstruction Project**

WiDSETH Consulting Engineer Bitter reviewed the WiDSETH Agreement for Professional Engineering Services in the amount of \$14,000.00 for the Lift Station 15 Reconstruction.

Scheduled improvements to Lift Station 15 Reconstruction include the following:

- Salvage existing control panel to the City
- Install a new stainless-steel control panel.
- Replace transducer.
- Replace floats.
- Replace base elbows.
- Replace pump guide rails.
- Replace pumps.
- Wet well cleaning and concrete spot repair.
- Replace concrete cover and aluminum hatch.
- Replace valve vault concrete cover and hatch.
- Replace valve vault piping and fittings.

The City has budgeted \$236,500.00 for the project. Mr. Bitter noted that WiDSETH has assumed the City will enter into a separate Agreement with Quality Flow for the control panel design and fabrication and so, therefore, have not included any detailed electrical design in the proposal.

Mr. Walter informed the commission this information is being presented earlier in order to bid the project the first part of the year to set a better schedule to allow time for any material delay.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Widseth Agreement for Professional Engineering Services in the Not to Exceed Amount of \$14,000.00 for the 2024 Lift Station 15 Reconstruction. Motion carried unanimously.

**25. 2022 Full Depth Reclamation and Reconstruction Improvements Project Monthly Update**

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

- 26. Approve the Anderson Brother Construction Company of Brainerd, LLC Partial Pay Estimate No. 9 in the amount of \$6,716.95 for the 2022 Full Depth Reclamation & Reconstruction Improvements Project, Municipal Project Number 4422.**

WiDSETH Consulting Engineer Bitter reviewed Partial Pay Estimate No. 9 in the amount of \$6,716.95 for the 2022 Full Depth Reclamation & Reconstruction Improvements Project.

The Contractor has earned \$1,041,355.59 to date. Retainage has been reduced to \$3,000.00 which results in a payment to the Contractor this period in the amount of \$6,716.95.

Mr. Bitter had no concerns with Partial Pay Estimate No. 9 and recommended approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Anderson Brothers Construction of Brainerd, LLC Partial Pay Estimate No. 9 in the amount of \$6,716.95 for the 2022 Full Depth Reclamation & Reconstruction Improvements Project. Motion carried unanimously.

- 27. 2023 Knollwood Drive Improvements Project Monthly Update**

WiDSETH Consulting Engineer Bitter stated that the punch list was being worked on and the contractor still has several residential complaints that need to be repaired. The project is on hold until spring.

- 28. Approve the Knife River Corporation – North Central Partial Pay Estimate No. 6 in the amount of \$217,063.25 for the 2023 Knollwood Drive Improvements Project, Municipal Project Number 4132**

WiDSETH Consulting Engineer Bitter reviewed Partial Pay Estimate No. 6 in the amount of \$217,063.25 for the 2023 Knollwood Drive Improvements Project.

The Contractor has earned \$1,813,050.01 to date which represents 101.7% of the revised contract value. In accordance with the agreement, 5% of the contract value (\$89,110.41) is being retained which results in a total payment of \$217,063.25.

Mr. Bitter had no concerns with Partial Pay Estimate No. 6 and recommended approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Knife River Corporation – North Central Pay Estimate 6 in the amount of \$217,063.25 for the 2023 Knollwood Drive Improvements Project. Motion carried unanimously.

- 29. Lift Station 13 Reconstruction Project Monthly Update**

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

- 30. Approve the Anderson Brothers Construction Company Change Order No. 1 revising the final completion date from October 2, 2023 to June 21, 2024 for the Lift Station No. 13 Reconstruction project.**

WiDSETH Consulting Engineer Bitter reviewed Change Order No. 1 revising the completion date from October 2, 2023 to June 21, 2024 for the Lift Station No. 13 Reconstruction Project.

The completion date is being changed because of a delay in the production of concrete structures which will not allow completion of the project this fall. Anderson Brothers Construction Company also states in their letter there will be no cost increase associated with postponing the work.

Mr. Bitter had no concerns with Change Order No. 1 and recommended approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Change Order No. 1 revising the final completion date from October 2, 2023 to June 21, 2024 for the Lift Station No. 13 Reconstruction Project. Motion carried unanimously.

**31. Wellhead Protection Plan Part II Project Monthly Update**

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

**32. Approve Draft Report and Set Public Hearing Date for the Wellhead Protection Plan Part II**

WiDSETH Geologist Brian Ross and Environmental Scientist Duncan Widman reviewed the draft Wellhead Protection Plan Part II report.

Mr. Ross explained that every 10 years the report is required to be updated to reflect any changes. The Department of Health has been revising the WHP Rules, evaluating public water system requirements and drinking water protection goals.

The draft plan has been sent out to local government units for comments. Mr. Ross stated the report will be presented to the City Council on November 21<sup>st</sup>. A public hearing is recommended to be held on January 16, 2024 with the draft report sent to the state after the public hearing is held.

Mr. Ross stated that the Utilities Commission can still provide comments until December 28, 2023.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Draft Report for the Wellhead Protection Plan Part II contingent on there being no major comments during the Local Government Units or State Agency Review and Set the Public Hearing Date for January 16<sup>th</sup>, 2024. Motion carried unanimously.

**INFORMATIONAL ITEMS**

**33. 2023 Annual Lift Station Inspections.**

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

**34. 2023 Evergreen Drive Improvements Feasibility Study Project Monthly Update**

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

**35. 2023 Novotny Road Improvements Project Monthly Update**

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

**36. 2023 Stormwater Program**

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

**37. 2023 Speed Study Request**

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

**38. 2024 Design Road & TH 371 Stormwater Improvements Project Monthly Update**

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

**39. 2024 Mill & Over and Full Depth Reclamation Improvements Project Monthly Update**

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

**40. City Council Approved the Widseth Proposal for Professional Design and Biddings Services in the Not to Exceed Amount of \$235,000 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project No. 4424 at the November 7th Meeting.**

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

**41. Brainerd Public Utilities Solar Array Project (Fence Screening)**

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

**42. Eagle Drive Area Improvements Project Monthly Update**

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

**43. Holiday Station Store Contamination Monthly Update**

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

**44. Inglewood Drive to Garrett Lane Stormwater Outlet Study Project Monthly Update**

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

**45. Section 6 Area A1 Outlet Project Monthly Update**

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

**46. TH 210 Street Lighting Improvements Project Monthly Update**

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

**47. Wastewater Treatment Plant Charges for September 2023**

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

**ADJOURN**

**MOTION** made by Commissioner Stenberg, seconded by Commissioner Christofferson to adjourn at 6:55 p.m.  
Motion carried unanimously.

Approved by:

Respectfully Submitted,

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Rock Yliniemi  
Chairman

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Mary Haugen  
Administrative Assistant