



# UTILITIES COMMISSION MINUTES

Thursday, August 08, 2024 at 5:30 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

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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 Rock Yliniemi.

## ROLL CALL

**Members Present:** Commissioner Douglas Stenberg, Jack Christofferson, and Chairman Rock Yliniemi.

**Members Absent:** Commissioner John Brenny and Council Liaison Mark Cross.

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

**Other Present:** Crow Wing County Senior Engineer Jordan Larson, Bolton & Menk Consulting Engineer Bryan Drown, SEH Consulting Engineers Scott Hedlund, Neil Heinonen & Alex Voit, Widseth Consulting Engineer Alex Bitter and HR Green Consulting Engineer Bridget Osborn.

## CONSENT AGENDA

### 1. Accept the Utilities Commission Minutes from July 3, 2024

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Utilities Commission minutes from July 3, 2024. Motion carried unanimously.

## BUSINESS ITEMS

### 2. 2026 CR 170/Mapleton Road Reconstruction Project

Crow Wing County Senior Engineer Jordan Larson presented the CR 170/Mapleton Drive from the Cass County line to Mt. Ash Drive.

The project goals include:

- Safety
  - Motorists
  - Local Residents
  - Pedestrians
  - Fix Design Deficiencies
- Improved Pavement Quality
- Define Right-of-Way
- Protect the Environment
- Minimize Property Impacts
- Improve Drainage
- Create a Design that Discourages High Speed Traffic

Mr. Larson explained the project is currently in the preliminary design phase and is planned to be constructed in 2026. The county is looking at a combination of both suburban and rural design being used in the project. The suburban design section will be posted for 45 mph and have 12-foot paved lanes, 6-foot paved shoulders with curb & gutter on the east end near Mt. Ash Drive. The majority of the project will have rural design with 12-foot paved lanes with 6-foot ditch bottoms.

Public meetings will be held in the fall/winter of 2024 with clearing & grubbing and 90% design completed in the fall of 2025 and construction starting in the spring of 2026.

Public Works Director/City Engineer Walter inquired if a stormwater pond will be constructed with the urban section of the project? Mr. Larson stated that a stormwater pond will be constructed on the south side of the road; however, the exact placement is not known at this time.

Mr. Larson will return at a future date for formal municipal approval of the project, plans and right-of-way approvals.

**3. 2022 Trunk Highway 210 & Inglewood Drive Railway Crossing Improvements Project Update, Municipal Project No. 4121**

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

**4. Approve the BNSF Invoice 90271495 in the amount of \$2,362.50 for the 2022 TH 210 and Inglewood Drive Improvements Project, City Improvement No. 4121**

Bolton & Menk Consulting Engineer Drown reviewed the BNSF Invoice No. 90271495 includes shipping cost of construction crossing material related to the surface crossing. BNSF has indicated due to supply chain issues they utilized crossing top material on hand and their supplier has now provided that material identified for the Inglewood Drive project to replenish their stock.

Mr. Drown has no concerns with BNSF Invoice No. 90271495 and recommends approval.

Commissioner Christofferson inquired if the pavement was going to be rough and inquired about the using a roller behind the paver. Mr. Drown stated that the specifications are the same as last year and the product does have a rougher surface when it is first applied. Rollers are not used with this product application and the surface does smooth out after traffic has driven on it for a period of time.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the BNSF Invoice No. 90271495 in the amount of \$2,362.50 for the 2022 TH 210 and Inglewood Drive Improvements Project, Municipal Project No. 4121. Motion carried unanimously.

**5. 2024 Micro Surfacing Project Update**

Bolton & Menk Consulting Engineer Drown stated the project started last week. Birchdale cul-de-sac was being redone due to resident concerns.

Public Works Director/City Engineer Walter stated that locate flags and sandbags need to be picked up. Mr. Drown stated the roads will cure for a week, then will raise the curb stops, shouldering and striping will be completed.

**6. Approve the ASTECH Corp. Change Order No. 1 in the increased amount of \$34,536.37 and amend the project budget to \$639,664.86 for the 2024 Micro Surfacing Project**

Bolton & Menk Consulting Engineer Drown reviewed the ASTECH Change Order No. 1 in the increased amount of \$34,536.37 for the 2024 Micro Surfacing Project. The plans and specifications call for restriping pavement markings with latex paint. At the preconstruction meeting it was discussed that the bike lane striping and bike symbols on Fairview Road in front of the Early Childhood Learning Center is ground in wet reflective preformed tape.

Change Order No. 1 includes removing the existing ground in restriping and following Micro Surfacing restriping with wet reflective ground in preformed tape.

Chair Yliniemi stated that there should be more specifications in the bids in the future.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the ASTECH Change Order No. 1 in the increased amount of \$34,536.37 and amend the project budget to \$639,664.86 for the 2024 Micro Surfacing Project. Motion carried unanimously.

**7. 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project Monthly Update**

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

**8. Approve the Anderson Brothers Construction Change Order No. 8 in the increased amount of \$18,775.62 and Amend the Project Budget by the Project Engineer Estimated Amount of \$96,227.59 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. 8 in the increased amount of \$18,775.62 and amend the project budget in the estimated amount of \$96,227.59 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project.

Change Order No. 8 has two parts covering seal coating and additional turf establishment:

**Part 1** covers sealcoating the Hirshfield parking lot to allow for the striping approved in Change Order # 4 to be installed without conflicting lines from the previous layout being visible and confusing.

**Part 2** involves turf establishment operations completed to address insufficient grass growth. SEH and City staff determined that some of the difficulty with acceptable turf establishment was due to factors outside the contractors' control such as a late seeding time and abnormal weather in the fall and winter. The contractor agreed to reseed the project and apply hydromuch and soil additive in select areas on a time and materials basis.

Mr. Voit noted The project is currently projected to be over the 3/19/2024 approved budget by approximately \$96,227.59. This overage is the result of Change Order #5 costs for Storm Sewer Lining, the added contingency for quiet zone changes listed above, and inclusion of the engineering costs listed above.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Change Order No. 8 in the increased amount of \$18,775.62 and amend the Project Budget by the Project Engineer Estimated Amount of \$96,227.59 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project.

**Discussion:**

Public Works Director/City Engineer Walter requested the Change Order RCA be revised to include the new total budget amount in the motion.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Change Order No. 8 in the increased amount of \$18,775.62 and amend the Project Budget by the Project Engineer Estimated Amount of \$96,227.59 for the Total Project Cost of \$4,367,788.46. Motion carried unanimously.

**9. Approve the Anderson Brothers Construction Partial Pay Estimate No. 10 in the amount of \$58,158.01 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project**

SEH Consulting Engineer Voit reviewed the Anderson Brothers Construction Partial Pay Estimate No. 10 in the amount of \$58,158.01 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project.

Partial Pay Estimate No. 10 is for striping and turf restoration.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Partial Pay Estimate No. 10 in the amount of \$58,158.01 for the 2023 Commercial and Residential Full Depth Reclamation and Quiet Zone Improvements Project. Motion carried unanimously.

**10. 2024 South Forestview Improvements Project Monthly Update**

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

**11. Approve the RL Larson Excavating, Inc. Change Order No. 3 in the amount of \$4,343.33 for the 2024 South Forestview Improvements Project, Municipal Project No. 4138**

SEH Consulting Engineer Heinonen reviewed the RL Larson Excavating Change Order No. 3 in the increased amount of \$4,343.33 for the 2024 South Forestview Improvements Project.

Change Order No. 3 addresses the following items:

**Part 1** the contract did not include backup batteries for the storm siren. Pricing was requested from the Contractor to supply and install the batteries.

**Part 2** the City and SEH reviewed the fence layout near the future City Park access road along Maryland Road with an adjacent resident during the early stages of construction. The resident provided comments on the alignment and layout of the fence, and suggested modifications to the City. SEH updated the fence layout and reviewed grading near the property line with City staff and the adjacent resident and determined that grading and minor tree clearing was appropriate in this area. The item below includes payment for equipment and labor for the Contractor to complete grading in this area. Fence costs and minor clearing of trees are covered under the original contract items.

**Part 3** the layout of the transformers near the lift stations was modified after review with the utility provider. The revised plan includes bolting transformers directly to the concrete pad. The concrete pads near the lift stations will include reinforcing steel in the vicinity of the transformers. Further, steel reinforcement was discovered during removal of various concrete driveways. Steel reinforcement will be placed in the driveways where it existed prior to construction of this project.

Mr. Heinonen had no concerns with Change Order No. 3 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the RL Larson Excavating, Inc. Change Order No. 3 in the amount of \$4,343.33 for the 2024 South Forestview Improvements Project. Motion carried unanimously.

**12. Approve the RL Larson Excavating, Inc. Change Order No. 4 in the amount of \$146,000.00 for the 2024 South Forestview Improvements Project, Municipal Project No. 4138**

SEH Consulting Engineer Heinonen reviewed the RL Larson Excavating Change Order No. 4 in the increased amount of \$146,000.00 for the 2024 South Forestview Improvements Project.

Change Order No. 4 addresses the following item:

- During project discussions, staff from RL Larson noted that their bid prices did not include watering sodded or seeded areas and trees. RL Larson suggested that the language included within the special provision sections for turf restoration and tree plantings did not clearly identify watering, and that a separate item was included for this purpose. RL Larson's interpretation of the contract was that watering was not an incidental item. After additional discussion between RL Larson, City Staff, and SEH, RL Larson requested a Change Order and provided a cost for a new bid item related to watering during the maintenance period. City Staff and the Engineer determined that RL Larson's interpretation of contract language has merit and accepts the new bid item for watering. The cost noted for this item incorporates the City waiving fees for water used for maintenance of trees or sodded and seeded areas for those specific gallons that will be utilized for this activity.

The commission held an extensive discussion on the amount of water and the cost of water for the trees and the sodded/seeded areas. Public Works Director/City Engineer Walter stated the 300,000 gallons of water listed in the bid was intended for after the maintenance period was done so the City could continue to do some watering yet this fall as intended and to jump start the growing season in the spring. Costs could be less than anticipated based on any rain events and private irrigation systems.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the RL Larson Excavating, Inc. Change Order No. 4 in the amount of \$146,000.00 for the 2024 South Forestview Improvements Project. Motion carried unanimously.

**13. Approve RL Larson Excavating, Inc Partial Pay Estimate No. 4 in the amount of \$747,309.90 for the 2024 South Forestview Area Improvements Project, Municipal Project No. 4138**

SEH Consulting Engineer Heinonen reviewed the RL Larson Excavating Partial Pay Estimate No. 4 in the amount of \$747,309.90 for the 2024 South Forestview Improvements Project.

Partial Pay Estimate No. 4 is for work completed through July 19, 2024. The work included with this payment is for tree clearing, roadway and driveway removals, excavation, embankment, fence installation, driveway paving, and utility construction items.

Mr. Heinonen had no concerns with the Partial Pay Estimate No. 4 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the RL Larson Excavating, Inc. Partial Pay Estimate No. 4 in the amount of \$747,309.90 for the 2024 South Forestview Area Improvements Project. Motion carried unanimously.

**14. Lift Station No. 13 Reconstruction Project Monthly Update**

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

**15. Approve the Anderson Brothers Construction Final Pay Estimate No. 3 in the Amount of \$3,000.00 Contingent Upon Receipt of Contractor Affidavits and Other Required Project Closeout Documentation and Increase the Project Budget from \$264,342.30 to \$264,671.55 for the Lift Station No. 13 Reconstruction Project**

WiDSETH Consulting Engineer Bitter reviewed the Anderson Brothers Construction Partial Pay Estimate No. 3 in the amount of \$3,000.00 and increase the project budget from \$264,342.30 to \$264,671.55 for the Lift Station 13 Reconstruction Project.

The Contractor has earned \$193,442.3 to date which represents 100% of the revised contract value. In accordance with the agreement, \$3,000 in retainage is being released with the final payment for completion of punch list items.

Mr. Bitter has no concerns with Final Pay Estimate No. 3 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Anderson Brothers Construction Final Pay Estimate No. 3 in the Amount of \$3,000.00 Contingent Upon Receipt of Contractor Affidavits and Other Required Project Closeout Documentation and Increase the Project Budget from \$264,342.30 to \$264,671.55 for the Lift Station No. 13 Reconstruction Project. Motion carried unanimously.

**16. 2024 Mill & Overlay and Full Depth Reclamation Improvements Project Monthly Update**

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

**17. Approve the Knife River Corporation – North Central Change Order No. 3 in the Increased Amount of \$12,242.67 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project Number 4424**

WiDSETH Consulting Engineer Bitter reviewed the Knife River Corporation – North Central Change Order No. 3 in the increased amount of \$12,242.67 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project.

Change Order No. 3 address the following item:

- While completing the watermain exploratory excavations on Knollwood Drive, it was decided that a valve was no longer needed. This valve originally served a purpose prior to the watermain extension in 1999. This valve was in green space and was damaged by repeated snowplow hits. Instead of moving the valve into the pavement the City elected to remove the valve because there is another valve nearby on the same water section so it was not needed and to eliminate a possible failure point in the future.

- During the PVC watermain tee replacement on Interlacken Road and Kingwood Drive, there was a water service that was not located properly and was damaged by the contractor. The City did not want to simply repair the damaged section because the service pipe was installed in late 80's and the new connector might not hold on the old pipe. To reduce the risk of a leak, the City elected to install a new section of copper pipe, saddle, corporation stop, and a new curb stop.
- On Dellwood Drive, at the empty lot north of Fire House Subs, a water service was removed for the turn lane. One item that was missed was the sanitary sewer service. This service needed to be extended to the backside of the easement, so it is outside of the new turn lane. This cost was to have the contractor extend the sanitary service line.
- The 10" existing sanitary sewer main on Dellwood Drive was mislabeled as an 8" line on the plans. Additional work was required to modify the new sanitary sewer structure to accept a 10" pipe. Widseth coordinated the work and will reimburse the City for the additional cost.
- The existing sanitary sewer service at Firehouse Subs did not meet the minimum 18" vertical separation between the watermain that is required by the Minnesota Department of Health (MDH). To bring the service into conformance, an upgrade in pipe material was required by the MDH. Widseth observed the original sanitary sewer service installation in 2002 and will reimburse the City for the cost of the corrective work.
- During construction, an additional HDPE pipe from the Menards empty lot was found and field changes were required to maintain a connection to the City storm sewer system. This was a design oversight and Widseth will reimburse the City for the cost of the additional work.

Mr. Bitter has no concerns with Change Order No. 3 and recommends approval.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Knife River Corporation – North Central Change Order No. 3 in the increased amount of \$12,242.67 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project. Motion carried unanimously.

**18. Approve the Knife River Corporation – North Central Partial Pay Estimate No. 3 in the amount of \$539,223.77 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project Number 4424**

WIDSETH Consulting Engineer Bitter reviewed the Knife River Corporation – North Central Partial Pay Estimate No. 3 in the amount of \$539,223.77 for the 2024 Mill & Overlay and Full Depth Reclamation Improvements Project.

The Contractor has earned \$1,173,529.13 to date which represents 30.0% contract value. In accordance with the agreement, 10% of the amount earned (\$117,352.91) is being retained which results in a total payment of \$539,223.77.

Mr. Bitter has no concerns with Partial Pay Estimate No. 3 and recommends approval.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Knife River Corporation – North Central Partial Pay Estimate No. 3 in the amount of \$539,223.77 for the 2024

Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project Number 4424. Motion carried unanimously.

**19. 2024 CSAH 77 Utility Improvements Project, Municipal Project No. 4118 Monthly Project Update**

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

**20. Adopt Resolution 2024-XXX Accepting the Bid from Pratt's Affordable Excavating, Inc. in the amount of \$551,053.20 for the 2024 CSAH 77 Utility Improvements Project, Municipal Project Number 4118**

WiDSETH Consulting Engineer Bitter reviewed the four bids that were received for the CSAH 77 Utility Improvements Project.

The following bids were received:

• Pratt's Affordable Excavating, Inc.	\$551,053.20
• JR Ferche, Inc.	\$556,031.05
• Northdale Construction Co.	\$628,806.65
• R.L. Larson Excavating, Inc.	\$638,512.16

The total estimated cost of the improvements is \$852,499.27 which includes contingencies and estimated engineering, legal, finance and other project related costs. The total portion of the cost to be paid by the City is estimated to be \$230,071.56 and the portion of the cost proposed to be assessed to benefitting property owners is \$622,427.71. The \$224,597.57 assessment to Parcel 40310611 represents 26.4% of the total project cost, all other assessed properties have entered into Petition & Waiver Agreements. Overall project costs are 11.3% lower than what was estimated for the Improvement Hearing.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to adopt Resolution No. 2024-XXX accepting the bid from Pratt's Affordable Excavating in the amount of \$551,053.20 for the CSAH 77 Utility Improvements Project. Motion carried unanimously.

**21. 2025 Mill & Overlay, Full Depth Reclamation and Reconstruction Improvements Monthly Project Update, Municipal Project 4425**

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

**22. Adopt Resolution No. 2024-XXX for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project No. 4425.**

WiDSETH Consulting Engineer Bitter gave a presentation showing the proposed improvements in the feasibility report for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project No. 4425.

Roadways and projects reviewed in the report include:

Residential Mill & Overlay:

- Joneswood Circle in its entirety.
- Joneswood Drive in its entirety.
- Joshua Tree Circle in its entirety.
- Joshua Tree Drive in its entirety.
- Knotty Pine Drive in its entirety.
- Marble Road (West of Jasperwood Drive).



- Oakdale Road in its entirety.
- Ottertail Circle in its entirety.
- Cherrywood Drive (South of Excelsior Road).
- Excelsior Road (West of Inglewood Drive).
- Timberlane Drive in its entirety.
- Park Street in its entirety.
- Woodland Drive in its entirety.

Residential Full Depth Reclamation:

- Jasperwood Drive (Mapleton Road to 2,345' south).
- Joler Road in its entirety.
- Forest Drive in its entirety.
- Fox Road in its entirety.
- Fox Place in its entirety.
- Commercial Full Depth Reclamation:
- Audubon Way in its entirety.
- Edgewood Drive (North of Novotny Road).
- Lake Forest Road in its entirety.
- Whispering Woods Lane (East from Pearl Drive to end of commercial section).

Reevaluated Roads:

- Perch Lake Drive
- Jasperwood Drive (South of Oakdale Road)
- Paris Road

There were no comments or concerns from the commission.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to adopt Resolution No. 2024-XXX for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project No. 4425.

**23. Approve the Widseth Proposal for Professional Survey Services in the Not to Exceed Amount of \$43,000.00 for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project 4425**

WIDSETH Consulting Engineer Bitter reviewed the Proposal for Professional Survey Services for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project. The improvements include the following:

Residential Mill & Overlay:

- Joneswood Circle in its entirety.
- Joneswood Drive in its entirety.
- Joshua Tree Circle in its entirety.
- Joshua Tree Drive in its entirety.
- Knotty Pine Drive in its entirety.
- Marble Road (West of Jasperwood Drive).
- Oakdale Road in its entirety.
- Ottertail Circle in its entirety.
- Cherrywood Drive (South of Excelsior Road).
- Excelsior Road (West of Inglewood Drive).
- Timberlane Drive in its entirety.

- Park Street in its entirety.
- Woodland Drive in its entirety.

Residential Full Depth Reclamation:

- Jasperwood Drive (Mapleton Road to 2,345' south).
- Joler Road in its entirety.
- Forest Drive in its entirety.
- Fox Road in its entirety.
- Fox Place in its entirety.

Commercial Full Depth Reclamation:

- Audubon Way in its entirety.
- Edgewood Drive (North of Novotny Road).
- Lake Forest Road in its entirety.
- Whispering Woods Lane (East from Pearl Drive to end of commercial section).

The proposed scope of services is as follows:

Preliminary Survey Services:

Widseth proposes to complete a preliminary topographic survey of the previously identified Project Areas suitable for design of the proposed improvements. Items included with this Proposal are:

- Establish vertical and horizontal control points within the Project Area
- Field survey existing conditions and topography for vertical and horizontal location information
- Coordinate field location of existing utilities (i.e., electric, telephone, gas, cable)
- Record and document location of mapped or marked utilities (i.e., electric, telephone), if available
- Record and document existing property corners and right-of-way that is evident
- Import field survey points into base drawing along with property and right-of-way information
- Prepare base topographic drawing and existing ground surface

WIDSETH proposed to perform the services described above on an hourly basis for the Not to Exceed amount of \$43,000.00

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the Widseth Proposal for Professional Survey Services in the Not to Exceed Amount of \$43,000.00 for the 2025 Mill & Overlay and Full Depth Reclamation Improvements Project, Municipal Project 4425. Motion carried unanimously.

**24. Approve the Widseth Agreement for Professional Construction Services in the Estimated Amount of \$132,000.00 for the 2024 Project Timber Wolf Improvements**

WIDSETH Consulting Engineer Bitter reviewed the proposal to provide construction related services for the 2024 Project Timber Wolf Project. The project is being developed by Ryan Companies US, Inc and constructed by Veit. All improvements along Timberwood Drive and Janesville Road and municipal utilities on the Amazon site will be turned over to the City upon completion. Per the Developers Agreement, the City is responsible for providing construction observation, testing and documentation services and the developer is responsible for reimbursing the City for the cost of these services.

Per the Developer's Agreement, the Developer has submitted an escrow for the estimated construction observation costs as outlined above and is responsible for all costs up to 110% of the estimate. There are no financial implications to the City as all costs are passed along to the Developer, the City will draw money from the escrow to pay the construction observation fees.

This attached contract is in the estimated amount of \$132,000, the contract will not exceed the Developer's 110% threshold as outlined in the Development Agreement. 110% of the estimated construction services cost in the Developer's Agreement is \$145,200.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the Widseth Agreement for Professional Construction Services in the Estimated Amount of \$132,000.00 for the 2024 Project Timber Wolf Improvements. Motion carried unanimously.

**25. Whiskey Creek Stormwater Improvements Project Monthly Update**

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

**26. Approve the J.R. Ferche, Inc. Partial Pay Estimate No. 5 in the amount of \$56,159.67 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292**

HR Green Consulting Engineer Bridget Osborn reviewed the J.R. Ferche, Inc. Partial Pay Estimate No. 5 in the amount of \$56,159.67 for the Whiskey Creek Stormwater Improvements Project.

The Contractor has earned \$1,345,265.32 to date which represents 99.4% contract value. In accordance with the agreement, 5% of the amount earned (\$67,263.27) is being retained which results in a total payment of \$56,159.67.

**MOTION** by Commissioner Christofferson, seconded by Commissioner Stenberg to approve the J.R. Ferche, Inc. Partial Pay Estimate No. 5 in the amount of \$56,159.67 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292. Motion carried unanimously.

**27. Whiskey Creek Planting Plans Project Monthly Update**

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

**28. Approve MNL, Inc. Change Order No. 1 for the Whiskey Creek Planting Plan Project for No Net Change in Contract Price**

HR Green Consulting Engineer Bridget Osborn reviewed the RL Larson Excavating MNL, Inc. Change Order No. 1 for the Whiskey Creek Planting Plan Project.

Change Order No. 1 addresses the following items:

- Consultation between the City, SWCD, MNL and HR Green resulted in a change from seeding near the water's edge requiring basin dewatering to the installation of plugs under the normal water level. The dewatering line item was removed, and a line item for installation of shoreline and aquatic plants has been added.
- MNL was also directed to remove the silt fence at the water's edge installed during the construction project with J.R. Ferche

- to create space for the seeding and stabilization work. This line item has also been added.
- Erosion control blanket was substituted for hydraulic mulch matrix in the turf grass areas, and the Hydraulic Mulch Matrix line item has been removed.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the MNL, Inc. Change Order No. 1 for no net change in the contract price for the Whiskey Creek Planting Plan Project, Municipal Project Number 200292. Motion carried unanimously.

**29. Approve the MNL, Inc. Partial Pay Estimate No. 1 in the amount of \$86,504.86 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292**

HR Green Consulting Engineer Bridget Osborn reviewed the MNL, Inc. Partial Pay Estimate No. 1 in the amount of \$86,504.86 for the Whiskey Creek Stormwater Improvements Project.

The contractor has earned \$91,057.75 to date which represents 76.3% of the contract value. In accordance with the agreement, 5% of the contract value (\$4,552.89) is being retained. Less previous payments by the City results in a payment this month of \$86,504.86.

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to approve the MNL, Inc. Partial Pay Estimate No. 1 in the amount of \$86,504.86 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292. Motion carried unanimously.

**30. 2024 Well Replacement Exploration**

SEH Consulting Engineer Heinonen gave brief update on the 2024 Well Replacement Exploration.

**Task 1 (Completed):** Recommendations in the Existing Wellfield Evaluation Report (May 1, 2024) included the use of sonic drilling techniques to complete two soil borings and oversight by a geologist to potentially speed up aquifer assessment and the well design process. A request for proposal (RFP) was sent to two Minnesota drilling companies that provide sonic drilling methods for the completion of two soil borings and installation of two observation wells. Additional services were also included to include test pumping of the aquifer at each location through a temporary screen. Two quotes were received with Traut Companies being low bid. An Agreement with Traut is going to the City Council on August 7th for consideration and approval for drilling and exploration.

**Task 2 (Approved by City Council on August 7, 2024):** Pending award and authorization of the contract with Traut, drilling activities are tentatively scheduled to begin in late August or early September. Prior to commencement of the drilling program, SEH will conduct a site reconnaissance to confirm site conditions, coordinate access and utilities with the drilling company, stake final drilling locations (and potential future water supply well locations), and collect soil samples for environmental analysis. Upon completion of the drilling program, additional services include water quality sampling of the observation wells and temporary installation of transducers (minimum of two weeks) to allow remote monitoring to aid in the evaluation of aquifer conditions with current pumping by existing water supply wells.

**Task 3 (Pending):** Final report will be completed following completion of field tasks, and all drilling and laboratory results are available.

Public Works Director/City Engineer Walter stated it has been determined the Wells No. 2 & 3 need to be replaced as the capacity cannot even be recovered to 50%. Replacements wells will be installed as the two existing wells still have some capacity. The City of Baxter has been purchasing 550,000 gallons of water from the City of Brainerd for the last two weeks.

#### **INFORMATIONAL ITEMS**

**31. 2022 Full Depth Reclamation and Reconstruction Improvements Project Monthly Update**

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

**32. 2023 Cypress Drive and Douglas Fir Drive Improvements Project Monthly Update**

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

**33. 2023 Knollwood Drive Improvements Project Monthly Update**

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

**34. 2023 Novotny Road Improvements Project Monthly Update**

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

**35. 2023 Baxter Water Production & Usage**

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

**36. 2023 Whiskey Creek Pedestrian Bridge Inspection Project Monthly Update**

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

**37. 2024 Evergreen Drive Improvements and Southeast Baxter Stormwater Overflow Improvements Project Monthly Update**

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

**38. 2024 Preliminary Aquifer Evaluation Monthly Update**

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

**39. 2024 Water System CAMP Monthly Update**

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

**40. 2024 Water System Hydraulic Model Update and Water System 20-Year Use Projections Project**

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

**41. 2024 Well Rehabilitation Project Update**

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

**42. 2025 Design Road & TH 371 Stormwater Improvements Project Monthly Update**

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

**43. 2026 Mill & Overlay, Full Depth Reclamation and Reconstruction Improvements, Project Monthly Update**

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

**44. Baxter 20-Year Public Works Facility Assessment Project Monthly Update**

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

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

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

**46. Hwy 371 Corridor Study - South Segment TAC Meeting**

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

**47. Holiday Station Store Contamination Project Monthly Update**

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

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

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

**49. Lead Service Line Inventory Monthly Update**

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

**50. Lift Station No. 15 Reconstruction Project Monthly Update**

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

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

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

**ADJOURN**

**MOTION** by Commissioner Stenberg, seconded by Commissioner Christofferson to adjourn at 7:12 p.m. Motion carried unanimously.

Approved by:

Respectfully Submitted,

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Rock Yliniemi  
Chairman

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Mary Haugen  
Administrative Assistant

