

CITY OF BALDWIN REGULAR MEETING

DECEMBER 16TH, 2024

Present – Mayor Jay Swanson, City Council Members: Tom Rush, Alan Walker, Scott Case and Jeff Holm

Jeff Holm arrived at 7:33 p.m.

Also Present – City Attorney: Bob Ruppe from Couri & Ruppe, City Engineer: Matt Kind from Hakanson Anderson, City Planner: Dan Licht from The Planning Company (TPC)

Call to Order – The December 16th, 2024 regular City Council meeting of the City of Baldwin was called to order by Mayor Jay Swanson at 7:00 p.m.

Pledge of Allegiance – All present recited the Pledge of Allegiance

Prayer request from Delmas Hines

Additions/Corrections to Agenda

Approval of Regular Meeting Agenda With/Without Additions/Corrections - Rush/Walker unanimous to approve as amended.

December 2024 Preliminary Treasurer's Report – The Clerk/Treasurer reported a beginning balance of \$1,136,387.34, Receipts of \$744,883.40, Disbursements of \$830,776.61 leaving an unaudited ending balance of \$1,050,494.13.

Public Comment Requests:

- Jeff Bengel- 28943 141st Street NW, Zimmerman. Mr. Bengel received a road right-of-way violation letter in the mail from the City of Baldwin. He has trailers and items obstructing the road right-of-way and will hinder snowplowing operations. He is at the City Council meeting requesting an extension to leave the docks at this location until mid-May 2025. Swanson stated that this area is needed for snow storage. Ruppe indicated he could create an abatement agreement. This agreement is a plan on how to comply with the city's ordinance. Rush asked how long the extension would be and Mr. Bengel asked for the extension until mid-May. Case stated there is a lot of structures in this area and it would be hard to get emergency vehicles back into 141st Street. Since the letter has been sent, trailers and some items have been removed. There is a stack of docks, and it is about 20 feet back. **Case/Rush unanimous to approve City Attorney working on agreement.**
- Carla Mertz – 31548 136th Street NW, Baldwin. Carla attended the meeting to discuss the purchase of the property on 136th street for industrial use. Carla has concerns about the semi's using 136th Street. She represents the residents on 136th Street, has traffic and safety concerns. Carla has submitted a petition and is in contact with Sherburne County Commissioner, Brad Schumacher. Carla stated 136th street cannot sustain semis and increased traffic. City Attorney,

Ruppe, to draft a shared road agreement. Carla asked how this road can be used for industrial use because this is an agriculture area, children that live on this road and livestock. Swanson stated this is not over and the best interest of the Resident's will be priority.

- Michael Seurer – 11837 283rd Ave. NW, Zimmerman. Lakeside Investments/Northland Ponds preliminary plat. Michael has a concern about the variance of 150 setback and is very much against the variance. He also has concerns about water quality. Swanson stated that this will be discussed later on the agenda under Lakeside Investments.
- Bryan Lawrence – Bryan stated that the Town Board implemented the Pledge of Allegiance about a year and a half ago, and now a prayer before the meeting is done. Bryan is humbled to stand in front of the City Council of Baldwin. Bryan congratulated the City of Baldwin and is excited to be a part of this community. Bryan is humbled to represent this area as The State Representative. He is proud of the Community and the commitment the residents have to the City of Baldwin. Bryan thanked everyone for the support and wants to represent the residents of this area in St. Paul.

Jeff Holm arrived at 7:33 p.m.

- Brad Schumacher – Brad thanked everyone for the support during the last election cycle. He stated he will be working with Baldwin on 136th Street.

Approval of Consent Agenda – Rush/Walker unanimous to approve

- Approve Claims List – Check numbers 28181 – 28233 in the amount of \$156,950.91 and 6 EFT Payments of \$7540.74 for a total of \$164,491.65.
- Approve Repeal of Ordinance 2024-09
- Approve Clerk Time Off of December 26th, 27th and 31st, 2024
- Approve Resignation of Admin Support, Marlene Nelson
- Approve City Council Meeting Minutes for December 2nd, 2024
- Approve Refund of Escrow Credit for Bayerl Variance of \$85.97
- Approve Refund of Escrow Credit for Reem Variance of \$91.25
- Approve Refund of Escrow Credit for Whitetail Knoll Plat of \$10.00
- Approve Refund of Escrow Credit for Oaks of Battle Brook 1st Addition of \$1125.43

7:15 or as Time Permit: Public Hearing – Steinbrecher/Roensch Variance at 28716 Elk Lake Road East

Rush/Walker unanimous to open public hearing at 7:46 p.m.

City Planner, Licht, from TPC reviewed the planning report. Full planning report on file in the Clerk's Office. Steinbrecher Companies has prepared a Subsurface Sewage Treatment System design for the property at 38716 Elk Lake Road East on behalf of property owners Nicholas and Jennifer Spain. This is a single-family dwelling upon the property served by an existing SSTS to be replaced with the proposed system design.

There is not a suitable area within the subject property for the drain field for the new system.

No public comments.

Rush/Walker unanimous to close public hearing at 7:49 p.m.

Planning Items:

Discuss/Approve/Disapprove 28716 Elk Lake Road East Resolution 24-58 SSTS Variance and Resolution 24-59 Encroachment Agreement –

Rush/Walker unanimous to approve resolution 24-58.

Rush/Walker unanimous to approve resolution 24-59.

Discuss/Approve/Disapprove Resolution 24-60, Northland Ponds Preliminary Plat and Variance –

Town Planner, Licht from TPC, reviewed the planning report. Full planning report on file in the Clerk's Office. Northland Investments is proposing to subdivide an existing 36.692 acre parcel into 10 lots and one outlot. **Holm made a motion to approve the variance. Rush seconded the motion.** Swanson stated if we approve this variance, it will have future ramifications for others in this area. The plat/variance has 15 conditions that must be met. Holm stated any future requests for variances in this area are on a case-by-case basis.

Lots 1 and 2, block 1 to have a minimum of a 20-foot wetland buffer. **Swanson disapproved; motion carried.**

Discuss/Approve/Disapprove Ordinance 2024-11 Wetlands, Accessory Buildings, Incorporation and Resolution 24-61 Wetland Conservation Act Administration – Case/Rush unanimous to approve Ordinance 2024-11.

Holm questioned what the Planning Commission determined on storage containers. Licht from TPC stated that storage containers has been addressed with the Planning Commission and determined they weren't appropriate in smaller lot developments.

Case/Walker unanimous to approve resolution 24-61

Discuss Code Enforcement Update –

Fire Chief and Town Planner, Licht, visited Jake's Tree Farm. Permanent bollards will be put around the fuel tanks in the spring. Jake wants to build a house on the property and has made great strides in cleaning up the property. Jake provided additional documentation that supports the fact that he is a agriculture business exempt from certain performance standards.

This visit was a fire code issue, and the Fire Marshall is satisfied.

There is a property west of the industrial park with junk and debris all over the property. Step one introductory letter has been sent with no response. Request for administrative notice to be sent.

Received information of an RV used for dwelling at PID# 01-00407-0630. An introductory letter will be sent to this Resident.

The final complaint was dogs running at large, PID# 01-00406-0510, on 134th Request for an introductory letter to be sent to the resident.

Holm questioned motor cross tracks and Licht said this has been completed.

Rush/Case unanimous to approve moving forward with code enforcements presented by Town Planner, Licht from TPC.

Engineering:

Discuss/Approve/Disapprove Resolution 24-33 Establishing Municipal State Aid Streets to the Municipal State Aid System – Rush/Case unanimous to approve. Swanson asked if MSA would be addressed every year and City Engineer, Kind, indicated it would be.

Discuss/Approve/Disapprove City Accepting 294th Avenue NW – Rush/Walker unanimous to approve

Frontier Trails Update:

Report from Wastewater Manager, Mike Gwynn, stated that the system for November 2024 has been running well and the DMR numbers look good. Gwynn stated that a few weeks ago there was standing water at the inspection pipes in the mound. Gwynn said it may have been that the pumps had just been running. Gwynn will monitor to see if there is any future issues.

The financial report for Frontier Trails shows receipts of \$3915.96, expenditures of \$3928.38 with an ending balance for the month of November 2024 of -\$12.42.

Road Report:

Discuss Public Works Report – Full Public Works report on file in the Clerk's Office

Discuss/Approve/Disapprove Snowplow Wages for Public Works – Rush spoke that Public Works Employees should be paid, during snowplow events, the same wage scale as the snowplow drivers do. **Rush/Walker approved, Swanson disapproved, Case disapproved. Mayor Swanson requested a roll call:**

Walker – Aye

Rush – Aye

Swanson – Nay

Holm – Aye

Case – Nay

Motion carried.

Discuss/Approve/Disapprove Resolution 24-62, Amendment of Snow and Ice Control Policy – Case/Rush unanimous to approve.

Tabled Items:

Discuss Fire Department Medical Responses – The Fire Department has done a trial run on responding to major medicals only. Case stated that call volumes declined quite a bit. The Fire department responses are not required for non-emergent medicals or any incidents not listed as “Code Red” response. The Baldwin Fire Department medical responses will be cardiac arrests, respiratory arrests, chest pains, stroke/CVA, shortness of breath, unconscious/unresponsive, serious trauma/falls, anaphylaxis/allergic reactions, MVC/PI with injuries and overdoses. The Baldwin Fire and Rescue response will be fires, water incidents, rescues/extrication, hazmat, alarms, missing/lost persons, and agency assists. The Department responses not required are non-emergent medicals and any incidents not listed above that is a “Code Red” response.

Rush stated the Fire Department election for Captains was last week, Holland and Miller were elected captains.

Discuss/Approve/Disapprove Rum River Consultants, RRCC, doing Commercial Plumbing Plan Reviews – Rush/Walker unanimous to table until the January 6th City Council meeting.

New Business:

Discuss/Approve/Disapprove City Council Responsibilities – Rush/Case unanimous to approve. The City Council responsibilities are posted on baldwinmn.gov website under Departments/City Council.

Discuss Employee Handbook – Swanson stated that now that Baldwin is a city, our Employee Handbook needs to be updated. The Clerk will send the Attorney’s a template from MN League of Cities. The Fire Chief will send the Fire Department handbook once completed.

Discuss/Approve/Disapprove Safety Committee, Participants and Schedule Dates – Swanson, Case, Good and Clerk to be on the committee. Date to be determined.

Discuss/Approve/Disapprove Local Board of Appeal and Equalization Date and Time – Rush/Holm unanimous to approve April 8th, 2025 at 3:00 p.m.

Discuss E-Mail Addresses – Email addresses for the City Council under the new .gov domain to be Councilmember A, Councilmember B, etc.

Discuss MS4 and Schedule Meeting – This will be discussed tomorrow night, December 17th, at the Road Workshop.

Discuss/Approve/Disapprove Burkhardt & Burkhardt Expenditure for Maximum of \$625.00 –
Rush/Walker unanimous to approve.

Discuss/Approve/Disapprove Resolution 24-57, Princeton Twice New Clothing and Treasures \$1000.00 Donation to Baldwin Fire Department – Holm/Walker unanimous to approve.

Discuss/Approve/Disapprove Resolution 24-63, Baldwin Fire Relief \$15,000.00 Donation to Baldwin Fire Department – Case stated that \$10,000.00 of this came from Santiago Lions and \$5000.00 came from Baldwin Fire Relief Association. This is specifically to be used for battery extraction equipment.
Rush/Holm unanimous to approve.

Discuss/Approve/Disapprove Special Parking Permit for Ridgewood Bay Ice Fishing Contest on February 22nd, 2025 – Rush/Walker unanimous to approve.

Discuss/Approve/Disapprove Fire Department Volunteering for Ridgewood Bay Ice Fishing Contest on February 22nd, 2025 – Rush/Holm unanimous to approve.

Discuss/Approve/Disapprove Continuing Education Event at Fire Department for Local Contractors for Building Code, Presented by Rum River Consultants –
Tentative date for this class would be Friday, February 28th. **Holm/Rush unanimous to approve.**

Discuss/Approve/Disapprove ROW Encroachment Issues – Case/Rush unanimous to approve. Swanson asked if the City Council wants to review road right-of-way issues each time or if staff can determine when letters are to be sent. Case stated that Public Works can start the process of getting the letter sent out to the Resident. Rush agreed with Case. Case amended his motion to include staff to determine when letters get sent out.

Discuss Right-of-Way Tree and Brush Clearing/Presentation of Services by MicroX/Josh Belmore – MicroX's core service is an excavator based brush mowing, forestry mulching and overgrowth trimming. They can achieve further areas, performing maintenance in terrain other companies can't accomplish. MicroX will be fully operatable in the first quarter of 2025. Rush stated that Mr. Belmore should reach out to our Public Works Supervisor. Holm stated that the City should identify areas that this work needs to be done. Public Works Supervisor to reach out to this company to get estimates and discuss areas in the City that this service can benefit from.

Announcements:

a. Road Workshop, Tuesday December 17th, 2024 at 7:00 p.m.

- b. City Hall Closed Tuesday, December 24th at Noon and All Day on December 25th, 2024 in Observance of Christmas Eve and Christmas Day.
- c. City Hall Office Closed Wednesday, January 1st, 2025 in Observance of New Year's Day.
- d. Next City Council Meeting, Monday, January 6th, 2025 at 7:00 p.m.

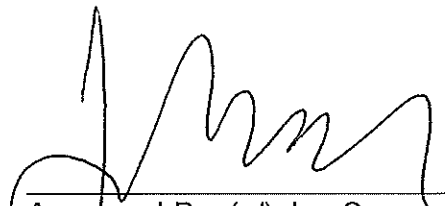
Any Other Business:

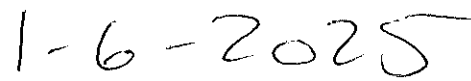
None

Recess: Rush/Case unanimous to recess until Tuesday, February 17th, 2024 at 6:00 p.m. at Baldwin City Hall.

Recessed at 9:24 p.m. on Monday, December 16, 2024.


Submitted By: (s/) Joan Heinen
Clerk/Treasurer
City of Baldwin


Approved By: (s/) Jay Swanson
Mayor
City of Baldwin


Date

Attendees: Carla Mertz, Delmas Hines, Michael Seurer, Seth Monroe, Josh Belmore, Nick Spain, Billy Sanderson, Jeff Bengé, Bryan Lawrence, Kelli Duerr from Rum River Construction Consultants, Bruce West, Cartrell Cooper and Brad Schumacher.
Zac Good-Baldwin Public Works Supervisor.