

CITY OF CROSSLAKE
PUBLIC WORKS COMMISSION
MEETING MINUTES
MONDAY, DECEMBER 5, 2022
4:00 P.M. – CITY HALL

Pursuant to due notice and call the Public Works Commission held its regular monthly meeting on Monday, December 5, 2022 in City Hall. The following Commission Members were present: Tom Swenson, Mic Tchida, Bob Frey, Gordon Wagner and Tim Berg. Also in attendance were City Administrator Mike Lyonais, Public Works Director Pat Wehner, Council Liaison Dave Nevin, City Clerk Char Nelson, and City Engineer Phil Martin.

1. The meeting was called to order at 4:00 P.M. by Tom Swenson.
2. Phil Martin handed out materials that were for Commission Member's information only regarding draft proposal with Casper Construction. Mr. Martin explained that he did not want the proposed terms made public until the Council approved them. Mr. Martin briefly reviewed the proposal and provided reasoning behind decisions. Mr. Martin is optimistic that the City and Casper Construction can come to an agreement without litigation. One of the sticking points has been the number of added working days. Because traffic drove through the construction site on a daily basis, Casper Construction claimed more days than Bolton & Menk allowed.

Bob Frey asked if the Log Church was responsible for any delay in the project. Phil Martin replied that deeper installation of pipes added approximately 3 days, but that most of the delays came from the County's request to add curb and gutter to the east side of CSAH 66. Tim Berg asked if the County will help pay for the extra costs. Mr. Martin responded that the County will pay their portion of the project. Bob Frey asked if the contract allowed for extra days. Mr. Martin stated that the contract allows for extra days if warranted and added that the committee that met with Casper Construction agreed that 21 extra days were reasonable, while Casper Construction asked for 28 days. This left 7 days in question. Mr. Martin thinks that the two parties would be able to compromise with an additional 1 day to break even and not cost the City any legal fees to take it further and not cost the contractor liquidated damages. A MOTION WAS MADE BY TIM BERG AND SECONDED BY BOB FREY TO RECOMMEND THAT THE CITY COUNCIL OFFER COMPROMISE OF ONE ADDITIONAL DAY FOR TRAFFIC DELAY WITH CASPER CONTRUCTION.

Dave Nevin asked what the final completion date was and if Casper Construction could receive more penalties at that time. Phil Martin replied that final completion date should have been October 15, 2022, however, Casper Construction continued working from October 16 through October 27. Now the project is suspended until Spring. Once work begins again, each day will be counted as late. Tom Swenson suggested that the Council inform the audience at the Council meeting that the proposed agreement is only through substantial completion and that more charges could come after final completion. MOTION CARRIED 4-1 WITH WAGNER OPPOSED. Mr. Wagner stated that too much was not being accounted for.

Phil Martin reported that Bolton & Menk submitted a list of road segments for inclusion with the 2023 Chip Sealcoat County program. Based on County 2022 Chipseal costs, they are estimating a cost of about \$108,000 for the chip sealcoat work. Roads included are Sand Pointe Drive, Bonnie Lakes Road, Dancing Bear Drive, Rushmoor Boulevard, Rushmoor Trail, Birch Narrows Road, and Wild Wind Ranch Drive. Mr. Martin stated that these are the only areas left in the City that are eligible for seal coat. Phil Martin stated that he and Patrick Wehner will drive the roads in the spring and take a physical look at the conditions to determine which are eligible for crackfill.

Phil Martin reported that an Open House for the CSAH 3/66 Pedestrian & Intersection Improvements was held in City Hall on November 29th. It was well attended and they received a lot of public input at the meeting, via email, and at the project INPUTiD information platform regarding conditions and options for improvement. The engineers are suggesting a roundabout based on research however, all options are still being considered. The County Engineer's biggest concern is pedestrian safety. Tom Swenson stated that he attended the Open House and noted that the only people who show up are the ones against it. Phil Martin agreed and stated many people did not speak because of the tone of the crowd. A discussion ensued regarding how a roundabout provides pedestrian safety.

3. A MOTION WAS MADE BY GORDON WAGNER AND SECONDED BY TIM BERG TO APPROVE THE MINUTES OF THE NOVEMBER 9, 2022 MEETING. MOTION CARRIED WITH ALL AYES.
4. Pat Wehner reported that the guardrails were finished on Bonnie Lakes Road and work on the clarifiers resumed today.
5. Tom Swenson asked if the roads used for the detour this summer were on the list to be repaired. Phil Martin stated that they were filled with Mastic crackfill and were holding together. Gordon Wagner lives in the area and said the roads were not in bad shape.
6. A MOTION WAS MADE BY TOM SWENSON AND SECONDED BY GORDON WAGNER TO ADJOURN THE MEETING AT 5:10 P.M. AYES: ALL.



Charlene Nelson
City Clerk