



City On The Bay

AGENDA

REGULAR MEETING MINUTES

MONDAY, AUGUST 3, 2020

WALKER, MINNESOTA

6:00 p.m. Call to Order –Mayor Shaw

- Mayor Jed Shaw called the regular scheduled meeting to order at 6:00 p.m.
- Pledge of Allegiance
- Council members present: Hansen, Moore, Senenfelder, Shaw, and Wilkening.
- Council members absent:
- Others present during portions of meeting included:

Terri Bjorklund, City Administrator
Wayne Tennis, Chief of Police
Arnold Volker, Self

Hope Fairchild, City Administrator
John Valen, City Attorney

6:00 p.m. Consent Agenda – Mayor Shaw

M/S Moore/Senenfelder to approve the Consent Agenda Items 1 through 19 as follows, waving the reading.

Councilmember Wilkening stated that sales tax totals for the months March-June of 2020 are down about \$13,500 in comparison to May-June of 2019, while factoring in an additional \$5,000.00 that should be received from the state. This means that collectively, the community is down about \$900,000.00 in actual sales. This will be an important thing for the City to keep in mind when going into discussion about the upcoming budget.

Councilmember Wilkening stated that the City received an email from the League of Minnesota Cities that shows that our Local Government Aid is going to drop about \$10,000.00. It is dropping from \$42,000 last year to about \$32,000 this year. This money is used for emergency repairs.

1. Approve Walker City Council regular meeting minutes of July 06, 2020.
2. Review and file draft of Walker Planning Commission/Board of Adjustments regular meeting minutes of July 27, 2020.
3. Review and file June 2020 Zoning Administrator Report.
4. Review Walker Public Library Board meeting minutes of July 15th, 2020.
5. Review and file draft of Walker Park Advisory Board meeting minutes of July 28, 2020.
6. Review and file Walker Police Department Monthly Report.
7. Review and file Public Works Committee meeting minutes of July 28, 2020.
8. Review and file Walker Area Joint Fire Department meeting of July 9th, 2020.
9. Approve Cash Balance Report as of June 30th, 2020.
10. Review and file Cass County's May/June Final Tax Settlement for 2020.
11. Review and file Cass County's October/November Tax Settlement for 2020.
12. Review and file 2020 North Side Project Updated Schedule.
13. Review and file LMC Worker's Compensation Audit Adjustment.

14. Review and file Sales Tax Receipts.
15. Approve payment of invoice 385343 in the amount of \$4,980.00 to SEH for Walker Municipal Airport Master Plan with Airport Layout.
16. Approve payment of invoice 385355 in the amount of \$12,450.00 to SEH for Walker Municipal Airport 2020 Beacon and REIL Replacement.
17. Approve payment of invoice 35641 in the amount of \$6,304.00 to NTI for work done on the 2020 North Side Project to date.
18. Approve payment of invoice 119375 in the amount of \$2,850.00 to Granite Water Works Inc. for purchase of hydrant for 2020 North Side Project.
19. Approve payment of invoice 95513 in the amount of \$44,463.33 to Ulteig for engineering services during 2020 North Side Project to date.

Motion passed (5-0)

6:05 p.m. Scheduled Citizens Presentation –Mayor Shaw

6:10 p.m. City Staff Comments – Administrator Terri Bjorklund

City Council and Mayor Filing is open until August 11, 2020 at 5:00 p.m.

6:15 p.m. Personnel, Budget & Administration – Councilmember Senenfelder

1. **M/S Senenfelder/Moore** to approve of Claim #58174 to Claim #58325 including Voided Check Numbers 58226, 58227, 58239 and bank drafts in the amount of \$1,064,726.56.
Motion passed (5-0)
2. **M/S Senenfelder/Moore** to approve of pay voucher 2 in the amount of \$491,338.20 to RL Excavating, Inc. for work done on the 2020 North Side Project to date.
Motion passed (5-0)
3. **M/S Senenfelder/Wilkening** to table the request of the Fishing Task Force to donate the remaining funds, \$2,019.57, to the Walker Area Community Center.
Councilmember Senenfelder stated that he will bring this to Larry Anderson to see if the funds can be donated to the City of Walker for things such as the fishing shack and dock repairs. He stated that the money was donated for fishing purposes, not for the WAC.
Councilmember Wilkening stated that Job-Z monies should be cleaned up; figure out what the City can legally do with these monies.
Motion passed (5-0)
4. **M/S Senenfelder/Moore** to approve of Resolution 26-2020, a Resolution accepting donations made to the City of Walker through fiscal year 2020.
Roll Call: Ayes: Hansen, Moore, Senenfelder, Shaw, Wilkening
Nays:
Motion passed: (5-0)
5. **M/S Senenfelder/Wilkening** to approve of payment to Spencer Ross Post 134 in the amount of \$643.98 for the first half of the 2020 Legion abatement payment, and to transfer the same amount from the General Fund 101 to the Legion Abatement Fund 420.

Motion passed (5-0)

6. **M/S** Senenfelder/Hansen to approve of the recommendation of the Personnel Committee to hire Joanne Bloch as a DMV Clerk at a wage of \$17.00 per hour, and upon successful completion of a six month probation period, an additional 3%.

Motion passed (5-0)

6:25 p.m.

Economic Development, Liquor Store, Airport & Library – Councilmember Hansen

1. **M/S** Hansen/Moore to approve of Walker Planning Commission/Board of Adjustments Meeting Minutes of June 29, 2020.

Motion passed (5-0)

2. **M/S** Hansen/Wilkening to approve of the recommendation of the Planning Commission/Board of Adjustments to approve LU-2020-08, a Interim Use Permit for Extractive Use/Mining with the following findings of facts and conditions:

Proposed Findings: Staff provides the following findings of fact for consideration by the Planning Commission:

1. Public waters are not contiguous to this parcel. The Use requirements as it relates to erosion are regulated by City Code Sec. 109-195. - Extractive use/mining. (c) (1)*Surface rehabilitation*. All excavation shall be made either to a water-producing depth, with a water depth of not less than five feet, or the surface of such area which is not permanently submerged shall be graded or backfilled to contour and shape the peaks and depressions thereof, so as to produce a gently drained surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area. Four inches of black topsoil shall be placed on all areas, except beaches, that will remain above water level. Haul roads will be restored to their condition prior to the beginning of the extractive operation.
2. There is no change to the visibility of structures and other facilities as viewed from public waters.
3. The site is currently serviced with city water and sewer.
4. The application does not have lake access for watercraft.
5. The Extractive Use/Mining is an appropriate Interim use in the Industrial zoning district.
6. The Comprehensive Plan of 2016 page 18 line item No. 4. supports the expansion of business growth should be publicly promoted where new businesses can fill needed gaps and/or directly complement and enhance existing business ventures.
7. There are two gravel pits outside City Limits that abut this parcel and the zoning district of Industrial make this compatible use in the existing neighborhood.
8. The proposed use, with conditions, is not considered to be injurious to public health, safety, decency, order, comfort, convenience, appearance, or prosperity.

Proposed Conditions: Staff provides the following conditions for consideration by the Planning Commission:

1. The applicant will adhere to City Code Section 109-195 Extractive Use/Mining.
2. Under City Code Section 109-195 Extractive Use/Mining Section (b) (1) *distance from property lines*, the applicant will maintain non-invasive vegetation in said 50 foot buffer zone while the quarry pit is in operation.
3. The Interim Use permit for Extractive Use/Mining will terminate upon the change of Ownership of the property or upon violation of the conditions of Section 109-195 Extractive Use/Mining or upon the change in the City's zoning regulations which render the use nonconforming or the redevelopment of the use and property upon which it is located to permitted or conditional use as allowed within the respective zoning district.
4. The applicant will adhere to City Code Section 18-4 Public nuisances affecting peace and safety: number 6. The using or operation or permitting the using or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet and comfort of any person nearby. Operation of any device referred to above between the hours of 7:00 a.m. and 10:00 p.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of violation of this section. In addition, rock crushing and similar louder activities shall be limited to the hours between 8am and 6pm.
5. Addition of a driveway, approximately 200 ft. from the property line off of Townhall Road NW., will comply with City Code Section 109-164-Driveways, in general.
6. When practical, vehicles should utilize Townhall Road to East Ottetail Road to Minnesota State Highway 371 as a haul route when entering and exiting the property.
7. The property owner shall designate primary and alternate contacts who will be available for citizens to contact with any questions and/or concerns when the facility is in use.
8. The property owner shall establish a Cooperative agreement with Shingobee Township for road maintenance on Townhall Road. A copy of the executed agreement shall be provided to the City of Walker.
9. The applicant will meet all MPCA noise level requirements during the time they are operating. Noise tests performed in accordance with MPCA Rule Chapter 7030.
10. Any new construction is subject to City of Walker Procedure and Data required for a Building Permit.

11. Rehabilitation. To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted an extraction/mining permit as herein provided shall furnish a performance bond running to the city in an amount of \$10,000.00 as a guarantee that such applicant, in restoring, reclaiming, and rehabilitating such land and haul road, shall, within a reasonable time and to the satisfaction of the city, meet the following minimum requirements.
12. The applicant agrees to all conditions above that the city deems appropriate for permission of the use.

Councilmember Wilkening stated that conditions were added after the Planning Commission Meeting: a request by Shingobee Township to enter into an agreement with the land owner for road maintenance, changed hours of 8 a.m. to 6 p.m. for noisy operations such as crushing, and adherence to MPCA Rule Chapter 7030 for noise control.

Motion passed (5-0)

3. **M/S Hansen/Wilkening** to approve of Walker Planning Commission/Board of Adjustments recommendation to change Conditional Use Permit to Interim Use Permit under Section 109-195 Extractive Use/Mining to match the Land Use Chart for Extractive Use.

Motion passed (5-0)

4. **M/S Hansen/Moore** to approve calling for a public hearing for the word change of Conditional Use Permit to Interim Use Permit under Section 109-195 Extractive Use/Mining to match the Land Use Chart for Extractive Use in conjunction with the next public hearing held before the Planning Commission in order to save costs on the amendment.

Motion (5-0)

5. **M/S Hansen/Moore** to approve of engineering and planning services for the 2020 Beacon and REIL Replacement Contract Amendment Number 1 in the amount of \$24,100.00, electrical engineering services not to exceed \$7,000.00, and a contract with Braun Intertec for construction materials and testing services in the amount of \$2,584.00.

Motion passed (5-0)

6. **M/S Hansen/Senenfelder** to approve of the 2020 Beacon and REIL Replacement Construction Contract awarded to Design Electric Inc. in the amount of \$97,707.00, with total project costs amounting to \$155,205.90.

Motion passed (5-0)

7. **M/S Hansen/Moore** to approve of Walker Public Library Board minutes of June 17, 2020.

Motion passed (5-0)

8. **M/S Hansen/Moore** to approve of the Kitchigami Regional Library System proposed 2021 Budget for Walker Library Branch levy portion in the amount of \$15,600.00 plus \$255 for automation, repair and replacement.

Motion passed (5-0)

6:35 p.m.

Parks & Ambulance Board– Councilmember Moore

1. **M/S Moore/Senenfelder** to approve of Walker Park Advisory Board to approve Minutes of June 23, 2020.
Motion passed (5-0)

6:45 p.m.

Public Works & Safety/Cemetery – Councilmember Wilkening

1. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to send Dan Martin and Dan Salitros to St. Cloud for MRWA training and testing. Martin would train and test for his Class C Water License and Salitros would train and test for his Class D Sewer License. Cost is \$255.00 each for training, Martin test fee of \$32.00, Salitros test fee of \$55.00, and two hotel rooms for two nights plus meals.
Motion passed (5-0)
2. **M/S Wilkening/Hansen** to approve of Sub Grant Agreement between the Cass Soil and Water Conservation District and the City of Walker, which will help pay for storm water upgrades during the 2020 North Side Project.
Councilmember Senenfelder asked if this was something that the City had to track.
Administrator Bjorklund stated that it was.
Motion passed (5-0)
3. **M/S Wilkening/Hansen** to table Vine Street proposed improvements discussion.
Councilmember Wilkening stated that the City had the engineer take a look at Vine Street and how much it would cost, with it coming out to an estimated \$78,500. This would be totally funded by assessments.
Mayor Shaw stated that obtaining the report for street improvements on Vine Street was to get information to property owners.
Councilmember Wilkening agreed with Mayor Shaw, and stated that he does not think the council should move forward with any street improvements on Vine Street.
Councilmember Senenfelder asked why the project would be fully funded by assessments.
Councilmember Wilkening stated that the street has never been built, even though it is platted.
Councilmember Wilkening stated that it could be revisited in January or February.
Motion passed (5-0)

6:55 p.m.

Other Business –Mayor Shaw

1. City Hall and DMV will be closed September 7th, 2020 in observance of Labor Day.
2. **M/S Senenfelder/Moore** to not accept park applications for the rest of 2020, due to the COVID-19 pandemic.
Motion passed (5-0)
3. City Council will now go into closed session to discuss a possible land purchase, parcel number 96-351-0430.

Regular meeting closed at 6:31 p.m.

Regular meeting opened at 7:11 p.m.

4. **M/S** Hansen/Moore to give permission to Mayor Jed Shaw and Councilmember Jim Senenfelder to negotiate terms on a possible land purchase, parcel number 96-351-0430, and bring it back to the Council for consideration.
Motion passed (5-0)

7:00 p.m. **Adjournment – Mayor Shaw**
Mayor Shaw adjourned meeting at 7:13 p.m.