

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, JANUARY 7, 2013**

CALL TO ORDER – Mayor Bruns

- Mayor Bruns called the regular scheduled meeting to order at 6:00 p.m.
- Pledge of Allegiance
- Mayor Bruns will turn the meeting over to Administrator Terri Bjorklund for the swearing in of the Newly Elected Mayor, and Council Members.
 - Council members present: Nelson, Moore, Bruns, Wilkening, McMurrin
 - Council members absent:
 - Others present during portions of the meeting included:

Pamela Smith, City Employee	Wayne Tennis, Police Chief
Terri Bjorklund, City Administrator	Neil Lange, Public Works Director
Dean Morrill, Pilot Independent	John Valen, City Attorney
Jake Huebsch, Region Five	Michael Cronin, Holiday
Amy Knowles	John Knowles
Rich Hansen	Gail Leverson
Jeff Holly	Paul Fairbanks
Dave Holk	

CONSENT AGENDA

M/S Moore/Nelson to approve the Consent Agenda Items 1 thru 11 as follows, waving the reading.

1. Approve Walker City Council Public Hearing Minutes, Amending Fee Schedule December 3, 2012.
2. Approve Walker City Council Regular Meeting Minutes of Dec. 3, 2012.
3. Approve Walker City Council Regular Meeting Minutes of December 20, 2012.
4. Approve Cash Balance Report as of November 2012.
5. Review and file Walker Police Department Monthly Report.
6. Review and file Walker Planning Commissions/Board of Adjustments Public Hearing and Meeting Minutes of Dec. 17, 2012.
7. Approve payment of invoice 18817 in the amount of \$44,972.50 for General Obligation Improvement Bonds, Series 2007A.
8. Approve payment of invoice 18818 in the amount of \$118,203.75 for General Obligation Refunding Bonds, Series 2008A.
9. Approve payment of invoice 8696 in the amount of \$550.00 for General Obligation Improvement Bonds, Series 2007A.
10. Approve payment of Minnesota PFA G.O. Bonds in the amount of 77,091.75 due February 20, 2013.
11. Review and file standard mileage rates for 2013.

Motion passed (5-0)

01/07/2013

SCHEDULED CITIZEN PRESENTATIONS – Mayor Bruns

➤ Region Five Development Commission presentation

Jay Huebsch, representing Region Five Development Commission covered several topics, handing out 2 brochures; Simplifying Lending and a Program brochure. He stated that that the Region Five Development Commission covers a five county area and this year of 2013 they are celebrating 40 years of service. He also discussed what lending services that they have to offer through their program and informed us on new templates that are available, also mentioned was GreenStep Cities, a plan to be recognized as a tree friendly city.

➤ Gail Levenson EDC Corporation update.

Gail stated that going over the last few monthly reports, that she has seen an increase in activity for the City of Walker. She identified some of what the 84 requests that the CED had received were for. She stated that the City of Walker had received 9 letters of interest.

Gail-My goal is to get about half of them in the manufacturing industry.

Gail thanked the City of Walker for being a member and for their continued support.

Dave Holk, a board member of the EDC, presented the City of Walker with a Recognition of Membership and Continued Support plaque. Gail stated the EDC enjoys being in partnership with the city.

CITY STAFF COMMENTS – Administrator Terri Bjorklund

➤ Phase V Shingobee Connection Trail.

Terri directs to the letter received from the MNDNR regarding the grant. Our application for the 2012 Parks and Trails Legacy Grant Program has been accepted for funding in the amount of \$425,000, contingent upon processing the application. That money comes from the conservation trust funds.

Bjorklund-Looks like after 6 years of hard work we should be ready to go this spring.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Nelson

1. **M/S Nelson/Moore** to approve of Claim #47482 to Claim #47487, and Claim #47489 to Claim #47493, Claim # 47496 to Claim # 47608 and bank drafts in the amount of \$305,222.94.

Motion passed (5-0)

2. **M/S Nelson/Wilkening** to approve of Resolution 1-2013, a Resolution approving Depositories for the City of Walker in the year 2013.

Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening

Nay: None

Motion passed (5-0)

3. **M/S Nelson/Moore** to approve of Resolution 2-2013, a Resolution designating the Official Newspaper for the City of Walker for the year 2013.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
4. **M/S Nelson/Moore** to approve of Resolution 3-2013, a Resolution appointing a City Attorney/Data Practices Compliance Official for the City of Walker for the year 2013.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
5. **M/S Nelson/Wilkening** to approve of Resolution 4-2013, a Resolution appointing a City Engineer for the City of Walker for the year 2013.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
6. **M/S Nelson/Moore** to approve of Resolution 5-2013 a Resolution approving machine signed signatures for the City of Walker for the year 2013.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
7. **M/S Nelson/McMurrin** to approve of Resolution 6-2013, authorizing the Mayor and City Administrator to sign all Airport State and Federal Grants.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
8. **M/S Nelson/McMurrin** to approve of Resolution 7-2013, a Resolution authorizing the Mayor and City Administrator to sign all State and federal Grants.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
9. **M/S Nelson/Moore** to approve of Resolution 8-2013, a Resolution relating to Workers Compensation for Elected Officials in the City of Walker.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
10. **M/S Nelson/Moore** to approve of Resolution 9-2013, a Resolution appointing an Insurance Agent for the City of Walker for the year 2013.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
11. **M/S Nelson/Moore** to approve of Resolution 10-2013, a Resolution supporting the Leech Lake Fishing Taskforce.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nay: None
Motion passed (5-0)
M/S Nelson/Wilkening to approve of the 2013 City Council Committee Appointments with one change, to appoint Gary Wilkening to TIF.
Moore-Are they staying the same?
Bruns-yes.
Mayor Bruns explained the financing.
Motion passed(5-0)

17. **M/S Nelson/Wilkening** to approve of the Request to Transfer funds from the DMV account as of 12-31-2012 in the amount of \$66,826.29 to the General Account for wages, health insurance, and other employer expenses paid in 2012 for the DMV. Motion passed 5-0)
18. **M/S Nelson/McMurrin** to approve of a new application for a Liquor License in the City of Walker.
- | | |
|-----------------------|-----------------------|
| <u>On Sale</u> | <u>Sunday</u> |
| Bayside Bar and Grill | Bayside Bar and Grill |
| Motion passed (4-0) | |
| Abstain: Wilkening | |

ECONOMIC DEVELOPMENT & LIQUOR STORE – Councilmember Moore

1. **M/S Moore/Wilkening** to approve of Walker Planning Commission/Board of Adjustments recommendation to approve LU 2012-11, Conditional Use permit for Dynamic Display on a Free Standing Sign based on the findings of fact, and contingent on proposed conditions in the Staff report for LU 2012-11. Motion passed (5-0)
2. **M/S Wilkening/Moore** to approve of Walker Planning Commission/Board of Adjustments recommendation to approve LU 2012-12, A Variance request for a structure Addition/Setback based on the findings of fact, and proposed conditions referenced in the Planning Commission Meeting Minutes of December 17, 2012.
- McMurrin-What direction is the addition?
 John Knowles-It would be going north. John points out the exact direction in which the addition is going.
 McMurrin-Why did he need a variance?
 Nelson-It's a nonconforming piece of property.
 John Knowles-It was preexisting from the previous property owner.
 McMurrin points out that this is one lot with 2 structures on it.
 Knowles adds that this lot is limited to financing because of the preexisting condition.
 McMurrin voices concern with variance request. Declaring what is stopping everyone else from doing this.
 Bruns-We have zones and ordinances for a reason. Mayor Bruns expresses his disapproval with this.
 Knowles mentions moving because this can't be fixed. Bruns discusses that this is a change that could be forever.
 Nelson-we can't take that building away. We don't have to allow anyone else a variance.
 McMurrin- Where do we stop with this? You're adding on because of an expanding family?
 Paul-(505 5th street) it is nonconforming piece of property. This is a variance to expand the existing structure. You can't have 2 residences on a lot anymore, this is a special circumstance.
 Bruns-What is the practical difficulty?

Holly-We wrote an ordinance for the sign ordinance. When looking back it worked out in everyone's interest. I believe that is why variances exist. He explains that the positive aspect of this outweighs the negatives. There are structures that are falling apart and left vacant and this would be owner occupied.

McMurrin- Maybe you will move in the future, you are young.

John discusses that he cannot receive financing on this because of nonconforming issues.

Hanson-We did discuss this at the Planning and Zoning meeting. Rich went on to discuss the preexisting condition and the variance request.

Hanson-The only change was on the structure. It is a unique situation. This is the only one in town with this specific situation. This seems like the right thing to do to keep a young family in town. This is what a variance is created for.

Mayor Bruns believes that this would make the value of surrounding property depreciate in value. He expresses that he has seen this many times before and it has never had a good outcome. He offers the Dennis Funeral Home as an example.

Nelson-The addition would increase the value of the home. They would be more inclined to stay in the community. I'm in favor of it.

Neil-We know it's not compliant with our sewer and water.

Knowles-This is something that we would be willing to change.

Holly- We can't say yes or no just because of water/sewer issue.

Bruns-I always try to base these decisions on facts not emotions. I think the decision with the planning commission was based on emotion.

Holly discussed that the water wouldn't be draining into Paul's property. He voiced other situations that this 10 foot setback began with. They were put in place for a reason.

Holly-This may be in violation of a setback, but I'm still in favor of it.

Bjorklund-We could look at conditions?

Bruns-No comment.

With conditions to update to two sewer and two water lines when 5th street is redone and with no further future expansion on the property.

Bjorklund- It has the findings of fact included. Bjorklund read the findings and asked if there were any additions to the conditions.

Motion passed (3-2) Naves: McMurrin, Bruns

Bjorklund-the Holiday has withdrawn their variance request.

M/S Wilkening/McMurrin to accept the withdrawal of Holidays variance request.

Motion passed (5-0)

LIBRARY, PARKS & AIRPORT – Councilmember McMurrin

PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening

1. **M/S** Wilkening/McMurrin to approve of the recommendation of the Public Works Committee for Neil Lange to attend the Minnesota Rural Water Association water and sewer training in St. Cloud March 5th-March 7th 2013, in the amount of \$195.00 plus lodging and meals noting that he will be driving the City of Walker truck.
Motion passed (5-0)
2. **M/S** Wilkening/Nelson to approve of the recommendation of the Public Works Committee for the purchase of a 2013 Ford F250 pickup from Tom Clusiau's Ford, trading in the 1997 Ford F250 with an 8 foot Western Strait Blade Plow. Total purchase of complete truck with trade in will be \$20,420.36.
Motion passed (5-0)
3. **M/S** Wilkening/Nelson to approve of the recommendation of the Public Works Director for the purchase of a new Boss Plow from South Side Towing and Recovery in the amount of \$5,683.86.
Motion passed (5-0)
4. **M/S** Wilkening/Nelson Discussion and action on the proposed Master Professional Services Agreement with Ulteig.
Bjorklund-On the advice of our City Attorney the Service agreement Section 9.05 should read governed by the law of Minnesota, not North Dakota and Walker Minnesota in place of Fargo North Dakota.
Wilkening amend motion to include those changes.
Motion passed 5-0

OTHER BUSINESS – Mayor Bruns

- DMV and City Hall will be closed on Monday January 21, 2013 in honor of Martin Luther King Day.

Bjorklund-The airport has been given an opportunity by the FAA. It has allowed for a 70/30 grant to purchase furniture for the new A/D building. Would the council like to move forward with this grant?

M/S Nelson/Moore to approve to accepting the 70/30 grant the FAA has allowed.
Motion passed (5-0)

ADJOURNMENT – Mayor Bruns

Mayor Bruns adjourned the Regular Scheduled Meeting at 6:58 p.m.

Scott Bruns, Mayor

Attest: _____
Terri Bjorklund, Administrator