

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, NOVEMBER 5, 2018**

CALL TO ORDER –Mayor Shaw

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

Terri Bjorklund, City Administrator
Dean Morrill, Pilot Independent
Jon Valen, City Attorney
Paul Fairbanks, WACC
Steve Blake, Self
Christy Blaine, Self

Pamela Smith, City Employee
Wayne Tennis, Chief of Police
Michael Ridlon, Public Works Director
Cindy Wannarka, Leech Lake Chamber
Katherine Blake, Self
Jeff Blaine, Self

CONSENT AGENDA-Mayor Shaw

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

1. Approve Walker City Council regular meeting minutes of October 1st, 2018.
2. Review and file discussion notes on October 29th, 2018 no formal meeting due to lack of quorum of the Walker Planning Commission/Board of Adjustments on October 29th, 2018.
3. Review and file draft of Walker Park Advisory Board minutes of October 23rd, 2018.
4. Walker Public Library Board no meeting due to lack of quorum.
5. Review and file Walker Police Department Monthly Report.
6. Review and file Public Works Committee meeting minutes of October 25th, 2018.
7. Review and file City of Walker Safety Committee meeting minutes of October 11th, 2018.
8. Review and file City of Walker AWAIR Program manual.
9. Review and file City of Walker Right to Know Manual.
10. Approve City of Walker Chain of Command schematic.
11. Approve Cash Balance Report as of September 30th, 2018.
12. Approve payment to Kitchigami Regional Library for the 2nd half of the 2018 Levy in the amount of \$7,355.50
13. Approve of payment for Invoice No. 13122 from Aspen Construction Co. in the amount of \$2,075.31 for emergency repair of the watermain on 10th Street.
14. Approve of payment for Invoice No. 13382 from Graham Refrigeration in the amount of \$4,828.90 for emergency repair of the liquor store compressor.
15. Approve to renew membership and to pay Invoice 275444 in the amount of \$1,122 for membership dues for the League of Minnesota Cities for 2018-2019.
16. Approve payment of Invoice No. 355127 in the amount of \$14,940.00 to SEH for Walker Municipal Airport Master Plan with Airport Layout Plan.

17. Approve payment of Invoice No. 356818 in the amount of \$4,980.00 to SEH for Walker Municipal Airport Master Plan with Airport Layout Plan.
18. Approve to pay Invoice No. 78087 from Ulteig in the amount of \$12,351.67 for Professional Services for work performed through September 30, 2018 for Walker-2018 Utility Improvements-CSAH 12 UEI Project No. R17.01996.
19. Review and file Memo from Ehlers regarding potential refunding analysis for the City of Walker.
Motion passed (4-0)

SCHEDULED CITIZEN PRESENTATIONS –Mayor Shaw

None.

CITY STAFF COMMENTS – Administrator Terri Bjorklund

- General Elections will be held on November 6th, 2018 voting begins at 7am and ends at 8pm; City of Walker residents may vote at the Walker Fire Hall, 701 Elm Avenue.

PERSONNEL, BUDGET & ADMINISTRATION –Councilmember Senenfelder

1. **M/S** Senenfelder/Wilkening to approve of Claim #55780 to Claim #55910 including Voided Check Numbers 55801 and 55802 and bank drafts in the amount of \$425,959.57.
Motion passed (4-0)
2. **M/S** Senenfelder/Moore to approve of Resolution 30-2018, a resolution accepting donations made to the City of Walker thru fiscal year 2018.
Roll Call: Ayes: Moore, Senenfelder, Shaw, Wilkening Nays: None
Absent: McMurrin
Motion passed (4-0)
3. **M/S** Senenfelder/Wilkening to approve of the application for a 1 day temporary liquor license for the Portage Brewing for Frost Fest; contingent upon receiving certificate of liability naming the City of Walker as a certificate holder.
Motion passed (4-0)
4. **M/S** Senenfelder/Wilkening to approve of Jennie Meyers successful completion of her six-month probationary period and approving the additional .50 per hour effective October 17, 2018
Motion passed (4-0)
5. **M/S** Senenfelder/Moore to approve of Carol Longfellow’s successful completion of her six-month probationary period as File Clerk/DMV Clerk/Administrative Assistant and approving the additional 3% per hour effective January 15, 2018
Motion passed (4-0)
6. **M/S** Senenfelder/Wilkening to approve of Jay Carrols successful completion of his six-month probationary period and approving the additional \$1.00 per hour effective November 07, 2018
Motion passed (4-0)
7. **M/S** Senenfelder/Moore to approve of Daniel Martins successful completion of his six-month probationary period and approving the additional \$1.00 per hour along with an additional \$1.00 per hour for his successful completion of water certification effective November 14, 2018.

Senenfelder added that they have really good people on the city staff right now and things are working out with our new employees and things are looking good.

Motion passed (4-0)

8. **M/S** Senenfelder/Moore to approve of setting the following holiday hours:

- Monday December 24, 2018 City Hall will close at 1:00 pm
- Monday December 24, 2018 Walker Bay Spirits will close at 4:00 pm
- Tuesday December 25, 2018 all City offices and businesses will be closed
- Tuesday January 01, 2019 All city offices and businesses will be closed

Motion passed (4-0)

9. **M/S** Senenfelder/Wilkening to approve of Ordinance 2018-02, an Ordinance annexing land located in Shingobee Township, Cass County, Minnesota pursuant to Minnesota Statutes §414.033 subdivision 2(1), Permitting Annexation by Ordinance

Roll Call: Ayes: Moore, Senenfelder, Shaw, Wilkening Nays: None

Absent: McMurrin

Motion passed (4-0)

10. **M/S** Senenfelder/Moore to approve of Resolution 31-2018, a Resolution authorizing summary publication of Ordinance 2018-02, an Ordinance annexing land located in Shingobee Township, Cass County, Minnesota pursuant to Minnesota Statutes §414.033 subdivision 2(1), Permitting Annexation by Ordinance.

Roll Call: Ayes: Moore, Senenfelder, Shaw, Wilkening Nays: None

Absent: McMurrin

Motion passed (4-0)

11. **M/S** Senenfelder/Wilkening to approve to pay annual membership dues to Cass County Economic Development Corporation for the Key Partner level. (2018 contribution level was \$1,575.00)

Motion passed (4-0)

12. **M/S** Senenfelder/Moore to approve to pay Invoice 1218-1069 from Pace Analytical in the amount of \$2,029.75 for deep well water sampling.

Motion passed (4-0)

13. Discussion and possible action of the request from the City Administrator for the Leech Lake Chamber & Cass County EDC to apply to host the 2019 Connecting Entrepreneurial Communities Conference; direction from Council.

Bjorklund clarified that they are currently working on the application.

Mayor Shaw questioned the positives and negatives.

Wilkening- the positive is: it would bring in people from other communities for strategic planning. The negatives are: do we guarantee host people to adhere to make sure that the event goes off?

Wilkening added that the hosts would have to raise \$3,000 which is the fee that is being asked for.

Wannarka stated that it is applying for the unknown, because it has never been done. She added that her hopes are that whatever place ends up being the host business would probably be willing to front the \$3,000 for the fee; since the group would be spending three or four days in their facility.

Senenfelder questioned what time of year.

Cindy replied that no date is set yet; however it would be in the fall.

Bjorklund added that being new they would probably work with the host city with dates in the fall that would work best.

The chamber agrees to run the front end of it and the organization of it.

Cindy stated that Cass County EDC has also agreed to help so it would be the three of us.

Bjorklund-I see it like any other event; the Chamber heads it, they get the volunteers, the City does what they can in in-kind donations; she also has the EDC and maybe a couple more bodies on the ground in organizing it.

M/S Senenfelder /Moore to work with Leech Lake Chamber & Cass County EDC to apply to host the 2019 Connecting Entrepreneurial Communities Conference.
Motion passed (4-0)

14. **M/S Senenfelder/Wilkening** to approve of the request from the City Administrator for Walker Area Community Center to apply for a Small Cities development grant on behalf of the City of Walker for equipment needs at the center.

Terri explains that DEEDs is a program meant for governmental entities; the WACC could not apply for this the City would have to apply for it on behalf of the WACC.

Terri discusses with the board not fully knowing how they expend the funds and not fully knowing what is going to be eligible of what they are requesting. For example they are requesting new workout equipment; that is not eligible. Terri explains that if the City does apply on behalf of the WACC it is going to take a lot of staff time to administer this grant if we are to receive it on their behalf.

Paul Fairbanks added if they are successful they are looking at a parking lot, furnace and ice plant. He further explained that as he understood it that the City would appropriate the money as the bills come in. The intent is not to burden the City staff. Our staff would help with the application. DEED has encouraged us to apply.

Wilkening questioned if the City would be responsible for fees above what was covered by DEED if there was a shortage of funds.

Bjorklund stated that City Council should consider another entity cover the bid process for them. If the City covers the bid process on their own then they know it is done properly and they have all the paperwork and the entire backup for that.

Fairbanks added that the WACC board would have no objection on the City process on bidding. He reminds the board that this is the preliminary stages of the grant. If it goes further and then we would have more detail what Terri and her staff would have to do and what the WACC board could do as part of that process.

Fairbanks- I would encourage you to let us proceed with the application.

The Board discusses the staff time that it would entail.

Bjorklund-For the betterment of the community center and long-range goals of this community, I think that Gretchen and I should work together to get the preliminary application out and once we know whether it has been accepted or not; then we take a look at what exactly is going to incur and then decide at that point if we have the staff available to handle it.

Shaw stated that he met with a professional grant writer and she is going to submit to the City a proposal for grants available for the library and allow us to apply for grants more readily than we have in the past.

Bjorklund states that she has no problem working with Gretchen and getting this submitted on their behalf.

Motion passed (4-0)

15. Discussion on request from Walker Youth Hockey's regarding update of ice rink lighting.

Wilkening stated that he believes what was already approved was to offset the cost of the warming house and the lights so they could open it this year.

Wilkening-Now they want new lights, I am not sure that it is our long-term goal to be involved in that.

M/S Wilkening/Moore to approve to proceed as we directed the Walker Youth Hockey last month.

Motion passed (4-0)

16. Discussion on requirements imposed on the unsafe/nuisance home located at 403 2nd Street.

Bjorklund stated that Jon Stewart our building inspector is unable to make it. She covers a discussion that she had with him. He has stated that while they have made progress it is nowhere ready for a certificate of occupancy. He is concerned about the lack of time spent working on it.

Steve Blake explains that he sold that property contract for deed. He mentioned that he did not withdraw foreclosure on the house; it was that the delinquencies were satisfied. Blake stressed to the Board that he didn't want to see this house torn down, he added that the City would lose some tax base if this happened and it is a modestly priced home and he thinks the City has a shortage of modestly priced homes. If this falls into foreclosure and back into Steve Blake's hands he requests to the Board that they give him the opportunity to fix it up.

Christy Blaine stated that they have made significant progress on the home. We have part of the deck done, the porch and the front entrance and the dormers need to be sided on the outside. On the inside we have running water, kitchen is done and from there it is cosmetic stuff. There is not a whole lot left to do. Again, time gets away from us because we have full time jobs and we are trying our best to get it done in our off time and we are working on it quite regularly. I asked for an inspection last week to see where we were at.

Moore questioned if the inspection was done.

Christy answered no that it was not.

Wilkening explains that at the last meeting that this was discussed they were given until the end of October, the length of the permit that was applied for the third time.

He stressed that they were very clear in regard to our request as far as being in a habitual condition and signed off by Jon that it was ready to go.

Wilkening-I don't hear that being said.

Wilkening added that it is not a one-time incident.

Christy argued that the first time they were made aware that there was a major issue was in May.

Christy-We did not get any of the building inspector reports.

Shaw added that his discussion with Jon was that they had made moderate progress not significant progress. And that the exterior wasn't quite finished.

Christy explained several the items that were not finished on the outside but reiterated that are working on it and making progress.

Shaw stated that during the conversation with Jon he said that if they were going to give the Blaine's any leeway to urge them to finish the exterior.

Christy stated that they would like to further progress on the house however they haven't been granted the building permit that she has applied for.

Valen explains that delaying this is a double edged sword. On the one hand it gives them an opportunity to make progress, and it sounds like they have. But at the same time they may have made enough progress that it takes you outside of what you would have to establish if you would want me to go into court to get an order to raze this house. To do that it requires that either the building be either a fire hazard or a hazard to public safety. Back when we started this, that was your finding and I think we could have supported it at that time. But I don't think you can today. At this point I don't think you could obtain from the court an order to raze the building. I think that your building inspector would say that it does not meet those thresholds of being unsafe or being a fire hazard. That leaves you the option of moving down a notch and into the nuisance category of your ordinance, which has a lower threshold of what the problem is. A nuisance under your ordinance is a structure that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns. Given the progress that has been made on this house this is what you would be looking at. There is an abatement process there that parallels chapter 463. But instead of seeking the remedy of razing the building the remedy is to get a court order requiring them to bring it out of the nuisance category. I would strongly urge you not to issue an order to raze the building, but you could initiate the abatement process for section 18 of your ordinance.

Shaw questioned the repercussions of being a nuisance property.

Valen stated that the court would order them to do whatever we lay out and then contempt of court to enforce it.

Senenfelder questioned a time frame for this.

Valen replied that nothing moves very quickly in the court system. At this point the delays have not involved the court.

M/S Wilkening/Senenfelder approve to pursue this property under the nuisance ordinance.

Valen stated that you need to direct your building inspector to do an updated report that outlines the condition more specifically than we have right now.

Senenfelder questioned if that would hamper them from receiving a building permit?

Valen stated that you can't order them to fix up their house and then not issue a permit.

Valen reiterates that he does not want to go into the court and demonstrate to the judge that they have not fixed this property and at the same time the landowner is saying that you wouldn't give them a permit.

Motion passed (4-0)

17. **M/S Senenfelder/Moore** Consider approval of Resolution 33-2018, a resolution authorizing the sale of city property not needed for public use.

Roll Call: Ayes: Moore, Senenfelder, Shaw, Wilkening Nays: None

Absent: McMurrin

Bjorklund stated there is line in this resolution that states this shall be accomplished in a workmanlike manner, and subject to the approval of the City of Walker Public Works Director, on or before _____, 2019, the date of closing. What date you like to put in there.

The board discussed this briefly and decided on or before July 1st, 2019.

Motion passed (4-0)

M/S Shaw/Wilkening to add the completed date as 'July 1st, 2019' to Resolution 33-2018.

Motion passed (4-0)

ECONOMIC DEVELOPMENT/LIQUOR STORE/AIRPORT/LIBRARY –Mayor Shaw

1. **M/S Shaw/Moore** to approve of the 2019 Airport Capital Improvement Project List for submission to MnDOT.

Motion passed (4-0)

PARKS /AMBULANCE BOARD–Councilmember Moore

1. **M/S Moore/Senenfelder** to approve of the Walker Park Advisory Board meeting minutes of September 25th, 2018.

Motion passed (4-0)

2. **M/S Moore/Senenfelder** to approve of the recommendation of the Walker Park Advisory Board for a park use application from Tianna, Green Scene, Reeds, Portage, Piggy, Trappers and Lakes Area Dive Team for Frost Fest Event using the Lower City Park. Set-up will be on Thursday February 7th, 2019 from 10:00am to 5:00pm; the actual event is Saturday February 9th, 2019 from 10:00am to 6:00pm. Clean-up is Sunday February 10th, 2019 from 9:00am to noon. The approximate number of people expected is 500. Contingent on receiving 501c status or IRS letter of status, an agreement to provide 4 porta johns, 4 yard dumpster, one officer on call and certificate of liability insurance naming the City of Walker as additionally insured.

Motion passed (4-0)

3. The Park Advisory Board will be accepting applications for a City of Walker resident to fill the vacant seat on the board. Shannon Pfeiffer has forwarded her resignation to Terri Bjorklund effective as of 11/1/2018.

4. **M/S Moore/Wilkening** to approve of Resolution 32-2018, a resolution of the City Council of the City of Walker adopting a Complete Streets Policy.
Bjorklund explained that it is one items on the list to become a bike friendly community. She explained that she has enjoyed sitting on this committee that tries to get more bikers into our community and be well-known for the amenities that we provide for the bikers. This is part about making our application positive to the people who look at it. She added that she has altered their recommended policy and resolution to better fit a smaller community.

Wilkening speaks briefly of concern is when they do street projects if they are scored lower on those projects because of this policy.

Shaw questioned if those could potentially become requirements as opposed to guidelines.

Bjorklund stated that she believes we are already complying with the policy. She gives the example of the Southside project that has new sidewalks and encourages people to move and go downtown; on the Northside project we are going to hopefully complete a section of trail and at Cochran's area we put up a shared road.

Senenfelder added that encouraging the walkability is in our Comprehensive Plan.

Wannarka stated that they had 11 businesses submit their application to be bike friendly businesses. She added that Walker had the most applications than any other town.

Motion passed (4-0)

PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening

1. **M/S Wilkening/Senenfelder** to approve Consider approval of the Safety Committee Meeting Minutes of May 9th, 2018.
Motion passed (4-0)
2. **M/S Wilkening/Senenfelder** to approve of the Labor/Management Safety Committee ByLaws.
Motion passed (4-0)
3. **M/S Wilkening/Moore** to approve to implement FirstNet online safety training at a cost of \$19.00 per employee, training to be taken by full time City staff; currently 15 full time employees.
Motion passed (4-0)
4. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to approve the quote from Team Lab for starting a bug program to reduce the amount of sludge at the main sewer pond in the amount of \$2,242.00.
Motion passed (4-0)
5. **M/S Wilkening/Moore** to approve of the recommendation from the Public Works Committee to authorize payment of the emergency repair of a transfer valve at the sewer ponds, at a cost of \$3,551.25 for related parts from Core and Main Distributors, and \$6,500.00 for excavation from Aspen Construction.
Motion passed (4-0)
6. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to approve the quote from Minnesota Power for the installation of power

to the Southside Park area in the amount of \$2,875.00 and that the money come out of the general fund to pay this.

Motion passed (4-0)

7. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to approve the revised Public Works Uniform allowance.

Motion passed (4-0)

OTHER BUSINESS –Mayor Jed Shaw

- City offices and DMV will be closed on Monday November 12th, 2018 in observance of Veterans Day and Thursday November 22nd and Friday November 23rd, 2018 for Thanksgiving.
- Walker Bay Spirits will be closed on Thursday November 22nd, 2018 for Thanksgiving.
- Reminder-Truth in Taxation meeting to hear public comment will take place at the December 3rd, 2018 meeting at 6:00 pm at the Walker Fire Hall.

CONTINUATION-Mayor Jed Shaw

Mayor Shaw continues the meeting until 5:00 p.m. on Tuesday November 13th, 2018; to Canvas the Election Results.

Jed Shaw, Mayor

Attest: _____
Terri Bjorklund, Administrator