

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, APRIL 3, 2017**

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: McMurrin, Shaw, Senenfelder, Wilkening
 - Council members absent: Moore
 - Others present during portions of the meeting included:

Terri Bjorklund, City Administrator
Pamela Smith, City Employee
Dean Morrill, Pilot Independent
Christopher Clasen, JustinClasen&Co.
Fred Rogers, Self

John Valen, City Attorney
Wayne Tennis, Chief of Police
Irene Weis, BAM
Cindy Wannarka, Chamber

CONSENT AGENDA-Mayor Shaw

M/S Wilkening/McMurrin to approve the Consent Agenda Items 1 thru 15 as follows, waving the reading.

1. Approve Walker City Council regular meeting minutes of March 6th, 2017.
2. Review and file draft of Walker Planning Commission/Board of Adjustments regular meeting minutes of March 27th, 2017.
3. Review and file February 2017 Zoning Administrator report.
4. Review and file draft of Walker Park Advisory Board minutes of March 28th, 2017.
5. Review and file Friends of Walker City Park meeting minutes of March 9th, 2017.
6. Review and file draft of Walker Public Library Board minutes of March 15th, 2017.
7. Review and file Walker Police Department Monthly Report.
8. Review and file Public Works Committee minutes of March 22nd, 2017.
9. Review and file draft of Cemetery Board minutes of March 28th, 2017.
10. Approve Cash Balance Report as of February 28th 2017.
11. Review and file Walker Area Joint Fire Department Minutes of March 9th, 2017.
12. Approve to pay Cass County Auditor for 2017 Property Tax on the Ambulance Building in the amount of \$8,844.00
13. Review and file Thank You from Short Elliott Hendrickson Inc.
14. Review and file Notice of Pay Equity Compliance for complying with the local government pay equity requirements.
15. Consider approval to pay Invoice 025-183554 from Tyler Technologies in the agreed annual contract amount of \$8,784.00.
Motion passed (4-0)

SCHEDULED CITIZEN PRESENTATIONS –Mayor Shaw

None.

AUDITOR'S PRESENTATIONS –Mayor Shaw

➤ Christopher Clasen presentation of the 2016 Audit Report

Clasen stated that during the audit process they found the City's records to be in good order (organized, available, complete, etc.) We appreciate the time that staff took to work with us to complete the engagement. We gave two audit opinions; one opinion issued is the adverse opinion. We use the State Auditors method which is allowed for cities fewer than 2,500. It is called a regulatory method of accounting. In that opinion we gave an unmodified (clean) opinion. That is the highest level of assurance that CPA's can give. We noted no issues of noncompliance in our review of laws, regulations, contracts, grant agreements that the City was involved in. Internal controls, we did note a significant deficiency in internal control, but I will go over that later. This year was a bit different than other years, we also had to give a federal programs audit; it is basically an audit to see if you were in compliance to spend federal funds. We did not find any issues of noncompliance with the money that was given. For 2016 the fund balances in the General Fund increased by \$199,144 ending at a little over 2.1 million. The ending fund balance represents over 193% of general fund expenditures. What this means is it gives the City an idea of how healthy it is as far as whether it needs to rely on taxes or state aid. For a City of your size it is very healthy. It is able to handle audit expenditures without bonding. When we compare budget to actual general fund revenues on a net basis, they were \$234,000 higher than what you budgeted for. This is because you have received some State Aids and donations and reimbursements that were not on the budget. Looking at the expenditure side you were \$78,000 lower than what you budgeted for. This was because of timing issues. Sometimes you get money in and you don't spend it all in one year. Clasen reviewed the financial summary as whole; the governmental funds. These funds are everything except your water/sewer/wastewater/Liquor Store, stating that the balance is a little over 5 million. He reviewed the pie chart comparisons on governmental funds receipts/disbursements and the proprietary funds receipts/disbursements. The City has extra mandates due to the PFA loans that it received. Every year you will be required to put an amount of money into a restricted fund in the sewer portion of that for gallons treated; .50 per 1000 gallons. You will have to have these funds available and if you want to spend them you will need to submit a request to the PFA. He reviewed the one significant deficiency; financial reporting (internal control). The City outsources financial statements. It is very common for cities of your size to outsource financial statements. Because you are not preparing our own financial statements it has to be a significant deficiency. With the Minnesota legal compliance there are seven areas to be tested and the City was found to be in compliances with all of them. That is really a hat's off to your staff, especially with big projects coming. The City of Walker moved up to our top City this year because of all the projects and all the dollars coming through and with all of the restrictions they did a very nice job and we really pushed them this year. Hat's off again to the City of Walker and we are looking forward to pushing them again next year.

CITY STAFF COMMENTS – Administrator Terri Bjorklund

None.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Senenfelder

1. **M/S** Senenfelder/McMurrin to approve of Claim #53532 to Claim #53636 including Voided Check Numbers 53580 and 53581 and bank drafts in the amount of \$151,548.04.
Motion passed (4-0)
2. **M/S** Senenfelder/Wilkening to approve to accept the 2016 Audit as presented.
Motion passed (4-0)
3. **M/S** Senenfelder/Wilkening to approve to pay Justin Clasen & Company LTD for the preparation of the 2016 audit in the amount of \$17,600.
Motion passed (4-0)
4. **M/S** Senenfelder/McMurrin to approve of the request of the Accounting department to transfer \$25,922.24 from the police equipment savings account to the general checking account.
It is clarified that this is for the new squad vehicle.
Motion passed (4-0)
5. **M/S** Senenfelder/McMurrin to approve of JoDawn Ivey’s successful completion of the six month probationary period as a Liquor Store Clerk (32 hours per week), and increase her wage .25¢ per hour effective 03-20-2017
Motion passed (4-0)
6. **M/S** Senenfelder/Wilkening to approve to enter into Rock Garden Planting and Maintenance Contract with Jodi Jensted for the 2017 season.
Motion passed (4-0)

ECONOMIC DEVELOPMENT/LIQUOR STORE/AIRPORT/LIBRARY – Councilmember McMurrin

1. **M/S** McMurrin/Wilkening to approve of the Library Board minutes of January 18th, 2017.
Motion passed (4-0)
2. **M/S** McMurrin/Senenfelder to approve and file Tyna Richter’s letter of resignation from the Library Board.
Motion passed (4-0)
3. **M/S** McMurrin/Wilkening to approve of Walker Planning Commission/Board of Adjustments Meeting Minutes of February 27th, 2017.
Motion passed (4-0)
4. **M/S** McMurrin/Senenfelder to approve of the recommendation of the Planning Commission/Board of Adjustments to approve Resolution 13-2017, a resolution authorizing the land exchange between Hawkinson Construction, Inc. and the City of Walker.
Roll Call: Ayes: McMurrin, Senenfelder, Shaw, Wilkening Nays: None
Absent: Moore
Motion passed (4-0)

5. **M/S McMurrin/Wilkening** to approve of the recommendation of the Planning Commission/Board of Adjustments to approve the recording of LU-2008-10 with the revised dates and have the Administrator and current Mayor sign the Conditional Use Permit.
Motion passed (4-0)

PARKS /AMBULANCE BOARD/ARTS AND CULTURAL COMMISSION–Mayor Shaw

1. **M/S Shaw/Senenfelder** to approve of the Walker Park Advisory Board meeting minutes of January 24th, 2017.
Motion passed (4-0)
2. **M/S Shaw/Senenfelder** to approve of the recommendation of the Walker Park Advisory Board for Mr. Paulus from CCEDC to work with Tesla on a Supercharge Proposal and bring back to the Park Board for a Council recommendation.
Wilkening stated that his concern is this is for one model of car; Tesla Brand. If we start slotting off public space, it is a matter of time when the next request comes along. Senenfelder voiced that once again you have a private business that wants to do business in our City Park and adds that he doesn't feel that it is the place for it. Senenfelder reviewed that the research of the current locations of the charging stations in the State. Senenfelder noted by looking at the research they are all located at private businesses. Bjorklund stated that from what she researched she believes that these are placed with some sort of agreement in place with Tesla and you must abide by certain conditions spelled out within the agreement. The board agrees that a more appropriate placement for this a private business not a public space. The board recommends directing Mr. Paulus with different avenues for placements.
Motion failed (0-4)

M/S Wilkening/McMurrin to approve to have City Administrator work with Mr. Paulus from CCEDC at locating a site for the Supercharge stations that is not on public property.
Motion passed (4-0)

3. **M/S Shaw/McMurrin** to approve of the recommendation of the Park Advisory Board to appoint Chris Opheim to fill the open seat.
Senenfelder stated that he was hoping that the person that was there for the last year would get appointed. He added that there was no quorum at that meeting. McMurrin added that Opheim served on the board for about 8 years and he has always been very interested in the park and active in the community. Shaw questioned what his interest was at getting back on the Park Board. Wilkening notes that he believed Mr. Opheim never wanted to not be involved in the Park Board. His term limit was up but he always remained interested in returning. Shaw asked how Mr. Opheim worked with our current board. Senenfelder stated that he spoke with Carl Berg this morning and noted that Carl was not at that meeting, but had he been it would have been a tough vote for him.
Motion passed (3-1)

4. **M/S Shaw/McMurrin** to approve of the recommendation of the Walker Park Advisory Board of the following Park Use applications:
- **Leech Lake Area Chamber of Commerce**: Art & Music in the Park, Lower City Park Area, July 26th, 2017, setup 1pm to 6 pm/Actual event 7pm to 9pm/cleanup 9pm to 10pm. Approximate number of people expected; 100.
 - **Cornerstone Church of Walker**: Tent Crusade, Lower City Park, August 10th – 13th, 2017, setup 1pm to 7pm on 8/10/17. Actual event 7pm to 10pm/Clean-up 10am. Approximate number of people expected; 200. *With the addition of 2 yard dumpster and 2 porta johns*
 - **Cornerstone Church of Walker**: Cornerstone Church Picnic, Lower City Park (Pavilion), August 13th, 2017-setup 9am to 10am/Actual Event Noon to 3pm/cleanup 4pm. Approximate number of people expected; 50-75.

Shaw questioned if this was one motion. Bjorklund noted that as stated before that 3 of the 6 members were present at the last meeting. They did not have a quorum. No Park Board meeting happened in February due to lack of quorum and there was business to conduct and they could not put it off another month. The Park Board did not make a motion due to the lack of quorum, they did however recommend approval. Wilkening questioned how many more events they will allow in the Park. The Park is meant for a public use space. But as it becomes, it is a big event space with 200-300 people using it. It then becomes a private use space. The Board discusses the length of the Tent Crusade event and questioned if the two applications from Cornerstone Church are one event ending with a picnic. They also questioned the Chambers application.

The Chamber clarified that it is only a one day event and pretty simple.

McMurrin notes the lack of locations available to host larger events in the summer. She brought up the area of land that the City owns that is connected by the tunnel. She suggested that location could be looked into as an alternative to hold larger events. Chief Tennis added that those days in the summer in August are some of our busiest days. The boat landing is typically busier and with that amount of people trying to park and boats trying to get in and out it could be logistically challenging. Motion failed (0-4)

M/S Shaw/Wilkening approve to vote on these three Park Events separately.
Motion passed (4-0)

M/S Shaw/McMurrin to approve of the Park Use application from **Leech Lake Area Chamber of Commerce**: Art & Music in the Park, Lower City Park Area, July 26th, 2017, setup 1pm to 6 pm/Actual event 7pm to 9pm/cleanup 9pm to 10pm. Approximate number of people expected; 100.

McMurrin questioned if the Chamber could use an alternative location. Cindy stated that that would not be possible with this request. It is dependent on an Art Grant that they received and it is only picked because of the location and the ability to hold concert on the water.

Motion passed (4-0)

M/S Shaw/Senenfelder to approve of the Park Use application from Cornerstone Church of Walker: Tent Crusade, Lower City Park, August 10th – 13th, 2017, setup 1pm to 7pm on 8/10/17. Actual event 7pm to 10pm/Clean-up 10am. Approximate number of people expected; 200. *With the addition of 2 yard dumpster and 2 porta johns*

McMurrin suggested sending this back to the Park Board and ask them if they would be willing to set up on the other side. Senenfelder worried that they would not have the accessibility on the other side. It would have to be easily accessible for disabled. He added that he liked the idea, however he didn't believe it is accessibly ready to be an alternative location for events as of yet. Wilkening reminds the Board of what Chief Tennis brought up and that it is a high traffic month and even with either location considered there still is the congested parking to account for. Shaw added that he wouldn't be opposed if they chose to send it back to the Park Board as to look at the other location as an alternative site and leave it up to the Park Board as whether or not to recommend this again.

Motion fails (0-4)

M/S Shaw/McMurrin to approve of the Park Use application from Cornerstone Church of Walker: Cornerstone Church Picnic, Lower City Park (Pavilion), August 13th, 2017-setup 9am to 10am/Actual Event Noon to 3pm/cleanup 4pm. Approximate number of people expected; 50-75.

The board agrees that this is a reasonable time frame and a workable number of people.

Motion passed (4-0)

5. **M/S Shaw/Senenfelder** to approve of Bicycling around Minnesota (BAM), Overnight Camping at Lower City Park, August 23rd through August 24th, 2017; setup is August 23, actual event is August 23; cleanup is August 24. Approximate number of people expected; 275.

Shaw clarified that they have been here before. Mrs. Weis reviewed with the Board the hours they would be coming and going and added that this is their fourth time here. Chief Tennis stated that he is concerned about the parking situation. Weis understands that there is no parking here. Bjorklund clarified that Walker is their starting and ending point and that they are searching for parking for their vehicles for 275 people. Weis stated that they have 325 riders and there is limited hotel lodging so many of them will need to camp. The bikers plan to arrive on Wednesday afternoon, sign-in, set up their camping and then their automobiles will be moved to an alternate location. Then we will get up in the morning and have breakfast and ride for four days and come back. McMurrin sees no issue with this request as long as an alternative spot for parking is found. Senenfelder added that he doesn't want to discourage people from coming to Walker but believes that it would be ideal situation to move the whole event out to Moondance. Weis stated that the ride is divided between 60 and 70 miles between each city and that is an additional 10 miles out to there, that is the issue they have already rode 75 miles and now we are asking them to go further. Bjorklund added that this is the largest group that she has seen from BAM. When they first started coming here they were a lot smaller. Wilkening reminds the board that this request takes up the whole park. Senenfelder notes possibly

considering rewriting the ordinance so it restricts camping in the Park altogether. The Board reviews possible alternative locations for BAM to use such as the school and the football, soccer and baseball field. It is noted that they are busy with other events. Senenfelder questioned where the overnight camping was being allowed at their other stops. Weis stated in Park Rapids they are staying at the fairgrounds, Bemidji they will be at Library Park, and in Staples they are still working on that. Tennis brings up another possible location, where the construction crew was located at this summer; however that is the schools property. Senenfelder stated that if they were going to use Moondance as a location they would only be on the highway for about 3 miles. The trail system goes all the way to the 'Y' or Charlies Up North area. Tennis believes that parking 300 cars at the Casino would be hard also.

Motion fails (0-4)

6. **M/S Shaw/Senenfelder** to approve of setting the Cultural Commission meeting date as the third Wednesday of each month at 4pm at Walker City Hall Meeting Room. The first meeting of the Commission will then be held on April 18, 2017
Senenfelder stated that Maggie works until 4:00 every day and Wednesday is not a good day. If we were to have this meeting on the 4th Tuesday at 5:00 it would work better. Fred Rogers brings up that Tuesday would not work for him. It would have to move to Thursdays.

Motion failed (0-4)

M/S Senenfelder/McMurrin to approve of setting the Cultural Commission meeting date as the third Tuesday of each month at 5 pm at Walker City Hall Meeting Room. The first meeting of the Commission will then be held on April 18th, 2017.

Motion passed (4-0)

7. **M/S Shaw/McMurrin** to approve to appoint the following people to the Cultural Commission Otto Ringle, Theresa Jordan, Margret (Maggie) Mellby and Fred Rogers
Motion passed (4-0)
8. Discussion on the funds for Cultural Commission projects donated to date and should they become a City fund, subject to the same statues as all City funds are for expenditures.

Shaw reminds Fred that if they do this they will have to make recommendations to Council for any money they wish to expend and isn't sure that that would be an advantage to them. They discussed the tax deductible donations and the non-profit status and 501c3 status of a fiscal agent. Bjorklund reminds the Board that the City does not hold an actual 501c3 status. It does offer a letter to donors that if it falls in their parameters it can be deemed tax deductible by your tax preparer. She added that she had conversation with Christopher Clasen the City Auditor regarding this and because of the tight scrutiny for public purpose expenditures, they may be better off as a group paying the administrative fees to have the Foundation hold the money. Wilkening suggested letting the newly formed committee discuss this.

PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening

1. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to send Neil Lange and Jon Fank to Park Rapids for Locate Damage Prevention Seminar on April 6th, 2017 from 10:30 a.m.-1:30 p.m.
Motion passed (4-0)

2. **M/S Wilkening/McMurrin** to approve of the quote from Turf Tech for the spraying of the sewer pond, Industrial Park drain field, Walker Bay Blvd, Highland Avenue holding ponds in the amount of \$2,900.00 and for the fertilizing and herbicide applications for the City Park, City Hall and Public Library properties in the amount of 2,742.30
Motion passed (4-0)
3. **M/S Wilkening/McMurrin** to approve of the recommendation of the Cemetery Board to approve the minutes of May 24th, 2016.
Motion passed (4-0)
4. **M/S Wilkening/Senefelder** to approve of the recommendation of the Cemetery Board to approve of the quotes totaling \$18,900 from Turf Tech for the 2017 season for Cemetery maintenance, Herbicide applications and irrigation maintenance.
Motion passed (4-0)

OTHER BUSINESS –Mayor Jed Shaw

Bjorklund reminds Fred that the first order of business should be to appoint a secretary and because you are an entity of the City, we need minutes of your meetings in a timely fashion.

ADJOURNMENT-Mayor Jed Shaw

Mayor Shaw adjourned the regularly scheduled Meeting at 7:03 p.m.

Jed Shaw, Mayor

Attest: _____
Terri Bjorklund, Administrator