

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, JULY 1, 2013**

CALL TO ORDER –Mayor Scott Bruns

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

Wayne Tennis, Police Chief	Terri Bjorklund, City Administrator
Pamela Smith, City Employee	Dean Morrill, Pilot Independent
John Valen, City Attorney	Tony Trimble
Pat Negaard	Fred Rogers
Jim Schulz	Rich Hansen

CONSENT AGENDA

M/S Wilkening/McMurrin to approve the Consent Agenda Items 1 thru 16 as follows, waving the reading.

1. Approve Walker City Council Regular Meeting Minutes of June 3, 2013.
2. Review and file Walker Park Board Meeting Minutes of June 25, 2013.
3. Review and file Walker Cemetery Board Meeting Minutes of June 18, 2013.
4. Approve Cash Balance Report as of May 31, 2013.
5. Review and file Cass County Economic Development report.
6. Review and file Walker Police Department Monthly Report.
7. Review and file Draft of Walker Planning Commissions/Board of Adjustments Meeting Minutes of June 24th, 2013.
8. Review and file letter of resignation from Jeff Holly for the Walker Planning Commission Board.
9. Review and file letter from the Initiative Foundation.
10. Review and file Cass County's May/June Tax Settlement.
11. Consider approval to pay Invoice 43855 from League of MN Cities Insurance Trust in the amount of \$69,622.00.
12. Consider approval to pay Invoice 43856 from League of MN Cities Insurance Trust in the amount of \$1,512.00.
13. Consider approval to pay Invoice 43857 from League of MN Cities Insurance Trust in the amount of \$5,133.00.
14. Consider approval to pay Invoice 20107 from Bond Trust Services Corporation for General Obligation Improvement Bonds, Series 2007A, in the amount of \$9,272.50.

15. Consider approval to pay Invoice 20108 from Bond Trust Services Corporation for General Obligation Refunding Bonds, Series 2008A, in the amount of \$6,553.75.

16. Consider approval to pay Invoice 9507 from Bond Trust Services Corporation for General Obligation Refunding Bonds, Series 2008A, in the amount of \$450.00.

Motion passed (4-0)

SCHEDULED CITIZEN PRESENTATIONS –Mayor Bruns

- Fred Rogers- MN Folklore Tour
Economic Development for the Arts

Fred discussed the amount of people that MN Folklore Tour has brought to Cass County and the City of Walker in the last eighteen months and how it has helped stimulate the tourism industry within the City.

CITY STAFF COMMENTS – Administrator Terri Bjorklund

None.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Nelson

1. **M/S Nelson/McMurrin** to approve of Claim #48168 to Claim #48209, and Claim #48211 to Claim #48227, and Claim #48230 to Claim #48303 and bank drafts in the amount of \$259,142.02.

Motion passed (4-0)

2. **M/S Nelson/Wilkening** to approve of Invoice 025-71319 from Tyler technologies for the maintenance contract in the amount of \$9,367.83.

Motion passed (4-0)

3. **M/S Nelson/McMurrin** to approve of request from the Accounting Department to pay the City of Walker's 2012 portion of the Tower Avenue Special Assessment in the amount of \$19,531.52. This is a budgeted item.

Motion passed (4-0)

4. **M/S Nelson/Wilkening** to approve of terms of agreement for Mathias Justin, LTD to provide future audit services for the years of 2013, 2014, and 2015.

Motion passed (4-0)

5. **M/S Nelson/McMurrin** (seconds for discussion) makes a motion to return the Negaard property as shown in the packet.

Wilkening recaps his memory of the property donation. He states that to his knowledge conditions of the medical center were not included. He refers to the Minutes of May 1, 2006.

Valen states that from reading the May 1, 2006, the land would be used solely for the new medical facility. He makes note of a letter received from the Federal Government wanting acknowledgment of the sale of the property.

Valen-I don't know that City wants to get into a litigation of selling the property. Those restrictions seriously reduce the value.

Nelson states that he believes that the property would never have been given to the City of Walker in the first place if it was ever believed that that property would ever be sold and not used for building a medical center.

Valen-One concern is the City has lost tax revenue on this property for a number of years.

McMurrin states that there is no time line included in this, that we may get a medical facility in the future.

McMurrin-I think that the gift was made. We should give it time.

Nelson-I think it is highly unlikely that a medical center would ever be located there.

Wilkening refers to the April 7th 2008 minutes noting that he sees the acceptance of the motion and a second but no roll call on the vote.

Wilkening states that he believes this was intended for economic development.

Trimble notes that the other trust document itself specifically states that it can be transmitted to the City of Walker for a medical institution. They signed under the agreement that the City of Walker signed stating very clear that the property can transfer so would like to revert to Negaard and pay \$2000.00 for taxes.

McMurrin-Did anyone really think that at one time there would be a medical facility there?

Trimble-Yes.

Wilkening questions John Valen regarding the trust documents.

Valen stated that the interpretation of the trust was clear.

Bruns questions if the City of Walker would get itself in trouble with the County regarding the taxes from 2008.

Valen-No.

Valen notes that they would be receiving a couple of thousand for the transfer so he doesn't believe they would be successful.

McMurrin-Does that estate get some kind of tax break?

Trimble-The estate would actually pay taxes back; gift taxation.

Valen refers to form 8283. Wilkening adds that that makes this sound like we have the right to sell it.

Trimble refers to Form 8283 as a Federal Government or IRS gift form used for a tax right off. The form doesn't give the City the right to sell it.

McMurrin-There is no timeline. I don't like that we give things back that have been donated to the City of Walker.

Pat Negaard- I think the lawyer made a mistake by not putting that stipulation in the agreement.

Bruns states that he doesn't think it's worth the City of Walker fighting something like this in Court.

Wilkening- would Nelson consider with drawl of motion and consider tabling for further discussion at the August Council meeting?

Nelson-I made the motion I want to see a vote taken.

Ayes: Nelson, Bruns

Nays: Wilkening, McMurrin

Motion fails

6. **M/S Wilkening/McMurrin** to table the Negaard request for discussion at the August 5th City Council meeting.

Ayes: Wilkening, McMurrin, Bruns

Nays: Nelson

Motion passed (3-1)

7. **M/S Nelson/McMurrin** to approve of the resignation of Melanee Pendzimas, DMV Clerk, and effective July 3rd, 2013 with no payout of vacation time accumulated.
Motion passed (4-0)
8. **M/S Nelson/Wilkening** to approve of the Personnel Committees recommendation to change the starting rate of pay for Liquor Store Clerks from \$8.00 to \$9.00 per hour and increase the current part-time staff by that same dollar effective starting the pay period 7/6/2013.
Motion passed (4-0)
9. **M/S Nelson/Wilkening** to approve of the Personnel Committees recommendation to hire Jesse Kauchle as a part time Liquor Store clerk at a rate of \$9.00 per hour with a 3% increase upon the successful completion of the 6 month probation period.
Motion passed (4-0)
10. **M/S Nelson/McMurrin** to approve of the Personnel Committees recommendation to hire David Christofferson as the DMV Clerk, 40 hours per week @\$10.50 per hour and an additional .1,00 per hour upon successful completion of the six month probation period.
Motion passed (4-0)
11. **M/S Nelson/Wilkening** to approve of the Personnel Committees recommendation to increase to the Blue Cross Blue Shield employee benefit in the amount of \$58.95. (The same increase as the Union Agreement).
Motion passed (4-0)
12. **M/S Nelson/McMurrin** to approve of the Personnel Committees recommendation to set the employers paid portion of the Health Benefit at the same amount regardless if the employee elects to take single or family coverage effective for all new hires after June 30th, 2013, except for when Union Contract language supersedes this policy.
Motion passed (4-0)

ECONOMIC DEVELOPMENT & LIQUOR STORE – Mayor Bruns

1. **M/S Bruns/Wilkening** to approve of the Walker Planning Commissions/Board of Adjustments Meeting Minutes of May 20th, 2013.
Motion passed (4-0)

LIBRARY, PARKS & AIRPORT – Councilmember McMurrin

1. **M/S McMurrin/Wilkening** to approve to appoint Fred Rogers as the Kitchigami Regional Library Representative.
Motion passed (4-0)
2. **M/S McMurrin/Wilkening**(seconds for discussion) to approve of Contract Amendment Number No.1 between the City of Walker and SEH for changes to the Arrival/Departure building project in the amount of \$3,000.
Wilkening do we still have a beneficiary for this?
Bjorklund- Yes, the Jarman donation, this is the Engineering needed to make the entrances ADA Compliant
Motion passed (4-0)

PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening

1. **M/S** Wilkening/McMurrin to approve of the request of Public Works Committee to accept the quote from SCR to repair the evaporator in the dehumidifier in the Water Plant in the amount of \$3,613.30.
Motion passed (4-0)
2. **M/S** Wilkening/Nelson to approve of to accept quote from Danny’s Masonry for the installation of a sidewalk behind City Hall in the amount of \$2275.00.
Motion passed (4-0)
3. **M/S** Wilkening/Nelson to approve of the request from Rich Hanson for street closures of 5th Street South between Minnesota Ave. to Alley between Minnesota and Michigan on Wednesday August 14th, 2013 and for September 25th 2013 for Girls Night Out.

McMurrin- Is this turning into a family thing?

Hanson states that they are making it family friendly for the resort crowd. We have female shoppers with their husbands and kids in theory that should get people to stay longer, so everyone should benefit.

Motion passed (4-0)

OTHER BUSINESS –Mayor Bruns

- Discussion on the Paul Bunyan Expressway Coalition.

Mayor Bruns addresses the Council in regards to the four-lane highway and stresses the importance of getting involved in conversation with Coalition.

Bruns-There are a lot of people behind this and from what John Persell is saying is they have a chance of getting bonding money for this project.

The question is how and if to get through Walker with a four-lane highway and what the most viable option seems to be is to by-pass Walker possibly by the “Y” area.

The Board discusses how dangerous a four-lane would be going through Main Street and the car count would be so high you wouldn’t be able to get across.

Wilkening volunteers to sit on the committee regarding this and asks if it would be appropriate to ask for a quote from Pro West and Bruns agrees to sit on the committee with him.

- City offices and the Department of Motor Vehicles will be closed Thursday July 4th, 2013 in observance of Independence Day.
- Discussion on adjustable Flag brackets for downtown businesses purchased in bulk from Walker Home Center at a cost of \$10.00 each.

Nelson suggests that a letter be sent to the area businesses with specifications and the MNDot restrictions regarding the Flag Brackets.

ADJOURNMENT –Mayor Bruns

Mayor Bruns adjourned the Regular Scheduled Meeting at 6:44p.m.

Scott Bruns, Mayor

Attest: _____
Terri Bjorklund, Administrator