

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, JUNE 2, 2014**

CALL TO ORDER –Mayor Scott Bruns

- Mayor Scott Bruns called the regular scheduled meeting to order at 6:01 p.m.
- Pledge of Allegiance
 - Council members present: Bruns, McMurrin, Moore, Nelson and Wilkening
 - Council members absent:
 - Others present during portions of the meeting included:

Wayne Tennis, Police Chief
Travis Baker, Police
Pamela Smith, City Employee
Ken Bresley
Otto Ringle, Circle of Time
Cindy Wannarka, Leech Lake Chamber
Dick Kolp
Jim Senenfelder
Kristi Fikse
Steven Mangold, Verizon
Senator Saxhaug

Neil Lange, Public Works Director
Dean Morrill, Pilot Independent
Pat Finney
Jeff Holly
Gerry Traut, Xcel Energy
Peggy Hanson
Fred Rogers
Edy Asell
Allen Fikse
Tim Nidiandson

CONSENT AGENDA

M/S Moore/Wilkening to approve the Consent Agenda Items 1 thru 13 as follows, waving the reading.

1. Approve Walker City Council regular meeting minutes of May 5th, 2014.
2. Approve to amend Walker City Council meeting minutes of January 6th, 2014 to include the public information meeting.
3. Review and file Draft of Walker Park Board Meeting Minutes of May 27th, 2014.
4. Review and file Draft Walker Planning Commissions/Board of Adjustments Meeting Minutes of May 19th, 2014.
5. Review and file Cemetery Board Minutes of May 6th, 2014.
6. Review and file Cass County Economic Development report.
7. Review and file Walker Police Department Monthly Report.
8. Review and file Walker Area Joint Fire Department meeting minutes of April 10th, 2014.
9. Approve Cash Balance Report as of April 30th, 2014.
10. Approve to pay Invoice 46690 from League of MN Cities Insurance Trust in the amount of \$69,835.00.
11. Approve to pay Invoice 46691 from League of MN Cities Insurance Trust in the amount of \$1,198.00.

12. Approve to pay Invoice 46692 from League of MN Cities Insurance Trust in the amount of \$4,814.00.
 13. Approve to pay Invoice 1317 from T & C Excavating for emergency repair of 4th street Water Main break in the amount of \$7,095.00.
 14. Approve to pay Invoice WK2014-1 from Kitchigami Regional Library in the amount of \$7, 139.50.
 15. Approve to pay the Minnesota Association of Small Cities Membership Dues for 2014-2015 in the amount of \$543.75.
 16. Approve to pay Cass County Highway Department invoice dated 4/30/2014 for concrete, crack sealant, and sand usage in the amount of \$6,369.15.
 17. Review and file invitation from Leech Lake Band of Ojibwe and Cass County for a Wellness Court picnic.
- Motion passed (5-0)

**WALKER CITY COUNCIL
PUBLIC HEARING MINUTES
TO RECEIVE COMMENTS AND CONCERNS PERTAINING TO A
CONDITIONAL USE PERMIT REQUEST FROM VERIZON FOR 3
ADDITIONAL ANTENNA PANELS TO BE ADDED TO THE
TELECOMMUNICATIONS TOWER AT 708 FOURTH STREET SOUTH.
WALKER FIRE HALL MEETING ROOM
MONDAY, JUNE 2, 2014**

CALL TO ORDER-Mayor Scott Bruns

- Mayor Scott Bruns called the public meeting to order at 6:05 p.m.
- Council members present: Bruns, McMurrin, Moore, Nelson and Wilkening
- Council members absent:
- Others present during portions of the meeting included:

Wayne Tennis, Police Chief
Travis Baker, Police
Pamela Smith, City Employee
Ken Bresley
Otto Ringle, Circle of Time
Cindy Wannarka, Leech Lake Chamber
Dick Kolp
Jim Senenfelder
Kristi Fikse
Steven Mangold, Verizon
Senator Saxhaug

Neil Lange, Public Works Director
Dean Morrill, Pilot Independent
Pat Finney
Jeff Holly
Gerry Traut, Xcel Energy
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Fred Rogers
Edy Asell
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Steve Mangold, a consultant with Verizon introduced himself to the Council/Public. He explained that the request for approval is for one panel per sector and there are 3 sectors. Mangold-This would be to enhance coverage. He explained that at this time it is a 400 foot guide tower and they are at about 200 feet. Structural analysis done by Verizon showed that modifications would be satisfactory and sufficient for the tower.

Mangold-We have provided construction drawings and also have consent from the land owner Independent School District as well as Leech Lake Television Corporation. Wilkening states that it is his understanding that this is the last addition to the tower at the height that it is at.

Mangold-It's hard to say. Whenever there are additional modifications there would be additional structural modifications to enhance to the strength of the tower.

Chief Tennis questions if it would help during larger events in the Walker area so their squad computers and cell phones wouldn't jam-up.

Mangold states that these modifications would help if you use Verizon.

There were no other public comments or suggestions.

Public Hearing Closed at 6:07

POST SESSION WRAP UP- SENATOR SAXHAUG

Senator Saxhaug states that he will start with sales tax. He noted a discussion that he had with the Administrator of Grand Rapids; telling the Administrator that 'let's face it, the State of Minnesota does not grant sales tax for those types of things that property tax is supposed to be taking care of.' Saxhaug stated that you can do what you want but you might want to consider what got sales tax done. He described that the City of Baxter came down with a referendum. The City of Baxter wanted water and sewer connecting to the Brainerd system. The tax committee allowed that if they joined with the City of Brainerd, who had just come in wanting sales tax for their Airport. Both projects are projects that the State of Minnesota will participate in. The State of Minnesota has funds set aside for Airport and PFA for water and sewer projects. In terms of dedicated funds particularly ones that are going to include administration or infrastructure and roads the State of Minnesota is not going to approve that.

Nelson-We went through the process, and I thought when we prepared to do this we looked at the State Laws of what the sales tax could and could not be used for. I don't recall it stating that it couldn't be used for this type of infrastructure, or we never would have proceeded at that time.

Nelson stated that it wasn't until after two years they are finding out now from the tax committee that the State of Minnesota won't allow us to that for infrastructure.

Nelson-We could've saved a whole lot of trouble if we would have known that 2 years ago.

Nelson notes that time energy and money have been wasted on this whole process.

Saxhaug responds by stating that the State of Minnesota considers sales tax to be their tax and the property tax is the local tax.

Saxhaug – you had administrative cost, which for sure can't be taken care of through the sales tax.

Nelson references that State Statute at that time allowed for this.

Saxhaug-It's not a law.

Valen-I think what your saying is, that it's not legally prohibited, but that right now it is politically prohibited.

Saxhaug stated that he believes right now the State of Minnesota is in a quandary on how to raise money to take care of the transportation costs. The State would like to take care

of this through sales tax. Saxhaug states that to double up on sales tax is probably not a good idea.

Valen-Its political decision, it's not legally prohibited.

Saxhaug-Yes, you're exactly right.

Jeff Holly questions what can sales tax be used for if the city decides to implement anything above the 6.875%?

Saxhaug states that it has to be a regional request for a raise in sales tax, not just for the City.

Holly stated that the City of Walker may have a smaller population, but the City serves a much larger population of the regional area. He believes that this is a regional problem.

Saxhaug stated that this is a Northern Minnesota problem, not just Walker. There is no tax base. Those that do have money do not live within City Limits.

Nelson-Then why are they at the tax committee denying us the opportunity to capture some of the dollars from the people that come in and actually use our City?

Saxhaug states that they need to be for regional projects.

Moore-How can you help us with this? We need help here in Walker. Our citizens are getting taxed out of their houses.

Saxhaug again refers to getting a regional project. He suggests talking to the surrounding townships that have the tax base.

Wilkening notes that our LGA is continually being cut and being a City that is under a population of 2,500 puts Walker in a different category for the ability for State money to flow in for things of that nature. He noted that with the legislature at the State unwilling to help and on the other side the LGA cuts, at what point do we start replacing this 24 million dollars' worth of road over the next 20 years? Wilkening noted the recent assessments that took place on 4th and 6th street, the average assessment was \$25,000.00, on homes that are valued at \$50,000.00. With the City having over 50% of the property within the City Limits, as tax exempt properties.

Edy Asell-59%.

Saxhaug advised again to get a regional plan.

The board and the public voice their frustrations of Saxhaugs explanation of why the State will not allow the City to use the sales tax for what the City initially passed it for.

Asell questioned Saxhaug if he has any specific recommendations of who to work with at the State.

Saxhaug stated that he thinks what needs to be done is to agree on a project to be used by a regional area.

Bruns-I will go along with what Edy said; if you could provide us with some names or some groups to talk to I would appreciate that.

Bruns stated that in Saxhaugs defense that 2 years earlier when he went down to testify before the State, there was another representative or senator down there. They are trying. That is why I inquired if there were any other names or groups to speak to down there.

Saxhaug-We're working on that.

Holly recommends that legislators look at the Amazon tax that several other states have already implemented.

Saxhaug stated that when he comes back in November he will try to come up with some solutions.

SCHEDULED CITIZEN PRESENTATIONS –Mayor Scott Bruns

➤ Gerry Traut, Xcel Energy: to explore bringing natural gas to Walker in 2015. Traut explains that they are working with Xcel Energy and Greater Minnesota Gas, trying to bring natural gas to the Walker area. He hands out a pamphlet and explains the pages within that. Walker is one of the towns within the limits of what we are able to serve with our infrastructure. Even though it sits on the outskirts of what is required for an office, if it all works out Xcel would put a small office in the area with a couple employees. He stated that the goal of the costs of natural gas is to keep it at below or equivalent to approximately \$1.00 per gallon of propane. To cover the costs of infrastructure, the area that we are serving has to pay for it over a period of time. What we do is add a surcharge, like a second meter fee and with that meter fee in place we want to keep below or equal to less than \$1.00 per gallon. He describes how the gas gets to the communities and how many customers they supply. He states that because they are a larger facility they are able to keep their gas prices down.

Nelson questions that if they come to town, would they lay the gas pipes in all the city streets by 2015 and whether or not it would be trenched in.

Traut replies that they use directional boards or plowed and there is no trenching at all. He stated that would be left up to the contractor.

Asell questioned what other communities they are looking at.

Traut stated they are still looking into it.

Wilkening questions what the average cost for a resident.

Traut-The first 75 feet is free from the property line to the house, after that it is \$3.50 a foot.

He noted that there is a \$9.00 a month meter fee and whatever the surcharge is depending on the cost of the project. The surcharge is a 15 year surcharge at a max. If it isn't paid off in 15 years, it comes off no matter what. He noted that in Burnsville that the surcharge was about \$25.99 per customer, with that included the price was approximately .99 cents per gallon with the surcharge. He discussed larger commercial customers would be justified by load and they would be subject to interruption rules.

Traut-Our goal is to serve as many people as possible as long as it economically feasible.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Nelson

1. **M/S Nelson/Moore** to approve of Claim #49548 to Claim #49707 and Voided Check Numbers 49597, 49598, 49650, 49676 to 49681 and bank drafts in the amount of \$206,946.03.
Motion passed (5-0)
2. **M/S Nelson/McMurrin** to approve of the application for a 1 to 4 day temporary liquor license for the Walker Rotary for the Fourth of July. Contingent upon submittal of Certificate of Liability Insurance.
Motion passed (5-0)
3. **M/S Nelson/Moore** to approve to purchase the currently leased Ricoh MP 2550B copy/fax machine from Metro Sales Inc., in the amount of \$1,595.00.
Motion passed (5-0)

4. **M/S Nelson/McMurrin** to approve of the request from the Accounting Department to transfer \$4,139.99 from the Police equipment savings account to the General checking account for final billing for the new squad car.
Motion passed (5-0)
5. **M/S Nelson/Wilkening** to approve of the request from the Accounting Department to approve payment in the amount of \$19,531.52 for the City of Walker's 2014 portion of the Tower Avenue Special Assessments.
Motion passed (5-0)
6. **M/S Nelson/Wilkening** to approve to have an appraisal done on the clinic building for future planning.
The board discussed when an appropriate time would be to do the appraisal. It was agreed that with the approval to have the appraisal on the clinic it did not have a specific time period in which to complete this. If it made more sense to get the appraisal done 6 months from now they would be able to do it at that time.
Motion passed (5-0)
7. **M/S Nelson/Moore** to approve of the recommendation of the Personnel Committee to hire to hire Adam Mykkanen and Andrew Erickson as a Part-Time fill in Police Officers at a rate of \$12.00 Per Hour.
Nelson confirmed with Chief Tennis that this would not be adding any more hours.
Motion passed (5-0)
8. **M/S Nelson/Moore** to approve of Resolution 15-2014, a Resolution Appointing Primary and General Election Judges for the 2014 Election. Primary August 12, 2014 and General November 4, 2014.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nays: None
Motion passed (5-0)
9. **M/S Nelson/Wilkening** to approve of Resolution 16-2014, a Resolution accepting donations made to the City of Walker thru fiscal year 2014.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nays: None
Motion passed (5-0)

ECONOMIC DEVELOPMENT & LIQUOR STORE – Councilmember Moore

1. **M/S Moore/Wilkening** to approve of Walker Planning Commission/Board of Adjustments Meeting Minutes of March 31st, 2014.
Motion passed (5-0)
2. **M/S Moore/McMurrin** to approve of the recommendation of the Planning Commission/Board of Adjustments to approve Conditional Use Permit LU-2014-02 (Verizon) with stated findings of fact and conditions.
Motion passed (5-0)
3. **M/S Moore/Nelson** to approve of the recommendation of the Planning Commission to move forward with working to develop a Rural Residential Zone for use in rezoning a portion of the land known as the Industrial Park into a residential single family neighborhood with private well and septic systems permitted by Cass County. That area being Block 2, Lots 4-13 and Block 1, Lots 6-9.

Wilkening discussed the idea of the Rural Residential zoning at certain areas of the Industrial Park and how this is the next step for the Industrial Park working to encourage people to become part of the City.

Bruns believed that this would not be a good idea for the City, that it could create problems in the future planning.

Wilkening clarifies that the next step is to change the zoning guidelines to make it more appealing to future residents.

Motion passed (5-0)

4. **M/S Moore/Nelson** to approve to receive a cost estimate from Ulteig to engineer/design a road at the Industrial Park to meet the minimum requirements for residential roads.

Bruns stated that this is similar to the appraisal discussion; this is something that we are not going to do right now.

Motion passed (5-0)

LIBRARY, PARKS & AIRPORT – Councilmember McMurrin

1. **M/S McMurrin/Moore** to approve of the Walker Park Board Minutes of April 22nd, 2014.

Motion passed (5-0)

2. **M/S McMurrin/Wilkening** to approve to approve of the recommendation of the Walker Park Board to approve the request of the Walker Rotary Club and Walker Lions to use the park for the July 4th celebration 10:00 a.m. to 11:00p.m., with set-up on July 3rd and tear down on July 5th.

Motion passed (5-0)

3. **M/S McMurrin/Moore** to approve to appoint Joann Rand to the open seat on the Library Board.

Motion passed (5-0)

4. **M/S McMurrin/Moore** to approve to move forward with the relocation of a new Library to the south side of the water plant with the entryway facing the current parking area. (Area for proposed building is staked for your review). The proposed Building would be approximately 5,200 Sq. Ft. which would include a meeting room for Council Chambers and partial basement for mechanical and storage the remainder would be a crawl space to help minimize the cost. Both the Library Building Committee and the Park Board recommend approval.

Nelson and Bruns voiced their disapproval of this. Bruns and Nelson believe that this green space should stay as green space.

Nelson believed that because of the estimated cost of the project more input was needed by City residents so they can see where their money is being allocated.

Bruns believed that more research should be done to explore other locations that did not intrude on the green space.

McMurrin explained why this spot made the most sense when the committee was researching different properties.

The board discussed the areas that were looked into for a future location of the library. Moore and Wilkening believe that the park would be an ideal location for the new location of the Library.

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

Motion passed (3-2)

5. **M/S McMurrin/Wilkening** to approve to get proposals from an architect to design a Library building at the proposed location.

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

Motion passed (3-2)

6. **M/S McMurrin/Moore** to approve to accept the bid from Anderson Brothers Co. for the Crack Seal Project repair of the Airport Taxiway in the amount of \$27,602.06.

Bresley reviews to the Board the grant request to fund the project is a 90/10 split, soon to be a 95/05. He noted what parts of the taxiway were being repaired and how they were to be repaired.

Motion passed (5-0)

7. **M/S McMurrin/Moore** to approve to accept the proposal from Midland Bi-Fold Doors for the repair of Hanger #2 door opener at the Walker Municipal Airport in the amount of \$3,500.00.

Motion passed (5-0)

PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening

1. **M/S Wilkening/Nelson** to approve of the recommendation of Public Works Committee to accept the proposal from Rice Lake Construction Group for the rehabilitation of water treatment plant filters in the amount of \$93,350.00.

Motion passed (5-0)

2. **M/S Wilkening/Moore** to approve of the recommendation of the Public Works Committee to purchase Manganese Greensand and structural media from Red Flint Sand and Gravel in the amount of \$47,865.00.

Motion passed (5-0)

3. **M/S Wilkening/McMurrin** to approve of the recommendation of Public Works Committee to accept the proposal from Bemidji Bituminous Inc. for the repairing of asphalt caused by the water main breaks in the amount of \$18,150.00.

Motion passed (5-0)

4. **M/S Wilkening/Nelson** to approve to enter into the following agreement with the Circle of Time Committee requests allowing for the completion of the current circle with the following agreements:

- All Statues, the bench and accessories will be maintained at all times or after a 30 day written notice to the last known address of the Committee they may be removed by the City.
- Flower Garden- Ring 1' wide around the current circle to be planted and maintained by the Circle of Time Committee at no cost or staff time to the City of Walker. If at any time the flowers are not maintained after 30 day written notice to the last known address of the committee the ring will be returned to grass.
- Allow for lighting of the circle with a fixture attached to the current light pole on the east side of the parking lot with the Circle of time reimbursing the City of Walker for that expense each year on August 1 at the rate of \$15.00 per year.

- Deny the request for the City of Walker to be a fiscal agent for the Circle of Time and will only be reconsidered if the Committee becomes incorporated, with 501[c][3] status per the advice of the City Attorney and Auditor.

Ringle requests to have the request to deny the Circle of Time’s request to the City to be asked to be a fiscal agent to be omitted from the local newspaper. He stated that he believed it could be viewed negatively.

Bruns-We don’t have any control over the local newspaper.

Fred Rogers stated to Otto that they have a 501c3 status and would be willing to work with Otto to help with their tax exemption status.

Motion passed (5-0)

5. **M/S Wilkening/Moore** to approve the recommendation of the Public Works Committee to not add a continuous left turn lane from TH 34 West to approximately the Heartland trail underpass due to the dislocation of parking.
Motion passed (5-0)
6. **M/S Wilkening/McMurrin** to approve of Resolution 13-2014, a Resolution adopting Ordinance 2014-02 and amending parts of Chapter 92.16 Monuments and Markers and authorizing the Ordinance Change.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nays: None
Motion passed (5-0)
7. **M/S Wilkening/Moore** to approve of Ordinance 2014-02, an Ordinance amendment regarding Cemetery; Monuments and Markers and approving summary publication.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nays: None
Motion passed (5-0)
8. **M/S Wilkening/Nelson** to approve of Resolution 14-2014, a Resolution to enter into MN/DOT Agreement No. 05759 with the State of Minnesota, Department of Transportation. To provide all maintenance and repair by the City Bridge No. 11X04.
Roll Call: Ayes: Nelson, Moore, Bruns, McMurrin, Wilkening Nays: None
Motion passed (5-0)
9. Discussion regarding Excel Energy’s presentation.
Wilkening reviews the franchise agreement.
The board agrees that this should move forward to be reviewed by Public Works first and then make a recommendation to the Board.

OTHER BUSINESS –Mayor Bruns

Walker City Hall and DMV will be closed on Friday July 4th in observance of the Independence Day holiday.

ADJOURNMENT –Mayor Bruns

Mayor Bruns adjourned the Regular Scheduled Meeting at 7:51 p.m.

Scott Bruns, Mayor

Attest: _____
Terri Bjorklund, Administrator