

**WALKER CITY COUNCIL  
REGULAR AND PUBLIC HEARING MEETING MINUTES  
WALKER FIRE HALL MEETING ROOM  
MONDAY, AUGUST 1<sup>ST</sup>, 2016**

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

Terri Bjorklund, City Administrator  
Chris Thorson, Ulteig  
Wayne Tennis, Chief of Police  
Tyna Richter  
Blake Pratt

John Valen, City Attorney  
Pamela Smith, City Employee  
Judy Anderson, Library  
Diana Pratt

**CONSENT AGENDA-Mayor Shaw**

**M/S** Wilkening/Senenfelder to approve the Consent Agenda Items 1 thru 14 as follows, waving the reading.

1. Approve Walker City Council regular minutes of July 11<sup>th</sup>, 2016.
2. Approve Walker City Council public hearing minutes of July 11<sup>th</sup>, 2016.
3. Review and file draft of Walker Park Advisory Board minutes of July 26<sup>th</sup>, 2016.
4. Review and file Friends of the Park Meeting minutes of July, 2016.
5. Review and file Walker Area Joint Fire Department minutes of July 14<sup>th</sup>, 2016.
6. Review and file draft Walker Planning Commissions/Board of Adjustments meeting minutes of July 25<sup>th</sup>, 2016.
7. Review and file June Zoning Administrator report.
8. Review and file draft of the Library Board minutes of July 20<sup>th</sup>, 2016.
9. Review and file Walker Police Department Monthly Report.
10. Review and file Public Works Committee minutes of July 21<sup>st</sup>, 2016.
11. Approve Cash Balance Report as of June 30<sup>th</sup>, 2016.
12. Approve to pay Anderson's \$14,450 for emergency repair of asphalt at 4<sup>th</sup> and Front, Railroad and 4<sup>th</sup> Street and \$2,450 for 2<sup>nd</sup> Street and Minnesota.
13. Approve to pay T&C Excavating \$2,360 for emergency repair at 4<sup>th</sup> Street and Front.
14. Review and file Memo from Ehlers regarding the 2015 TIF reports to OSA.

Motion approved (4-0)

**PUBLIC HEARING- PROPOSED ADOPTION OF ORDINANCE 2016-07**

Mayor Shaw called the public hearing to order at 6:05p.m

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

Terri Bjorklund, City Administrator  
 Chris Thorson, Ulteig  
 Wayne Tennis, Chief of Police  
 Tyna Richter  
 Blake Pratt

John Valen, City Attorney  
 Pamela Smith, City Employee  
 Judy Anderson, Library  
 Diana Pratt

- The City Council will take public comment and consider revisions to the City Code regarding Shooting Ranges

Mayor Shaw opened the Public Hearing at 6:05 p.m. addressing the public asking if there are any questions or comments regarding this Public Hearing.

Wilkening explains the public and the board that the Shooting Range is limited to only the Industrial Park and that the Ordinance adopts State Statute, which has stringent regulations.

There were no public comments or suggestions.

Public hearing closed at 6:06 p.m.

**PUBLIC HEARING- PROPOSED ADOPTION ORDINANCE 2016-08**

Mayor Shaw called the public hearing to order at 6:10p.m.

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

Terri Bjorklund, City Administrator  
 Chris Thorson, Ulteig  
 Wayne Tennis, Chief of Police  
 Tyna Richter  
 Blake Pratt

John Valen, City Attorney  
 Pamela Smith, City Employee  
 Judy Anderson, Library  
 Diana Pratt

- The City Council will take public comment and consider revisions to the City Code regarding opting out of the requirements of MN Statutes 462.3593 (temporary dwelling for family members with mental or physical impairments)

Mayor Shaw opened the Public Hearing at 6:10 p.m. addressing the public asking if there are any questions or comments regarding this Public Hearing.

Wilkening explains that the State passed 462.3563 that supersede any local Ordinance. He explains the restrictiveness of the State Statute. If we don't take action by September 1, 2016 State Statute would be enforced or if we opt out we can go back and craft our own Ordinance if need be.

There were no other public comments or suggestions.

Public hearing closed at 6:11 p.m. Regular scheduled meeting resumed at 6:11 p.m.

### **SCHEDULED CITIZEN PRESENTATIONS –Mayor Shaw**

#### ➤ Legislature Update, Senator Saxhaug and Representative Jon Persell

Saxhaug reads the updated PFA synopsis: Walker sewer and drinking water project. Walker's drinking water project hasn't triggered any grant eligibility; however the sewer project will be eligible for a small grant depending on affordability criteria in addition to a PFA loan if funds are available. Walker is rated 109<sup>th</sup> on the clean water priority list. Adding money to the PFA would depend if there is a special session. Shaw questioned the likelihood of a special session. Saxhaug replied that the possibility is better than a month ago; if all goes well we anticipate it will be the 3<sup>rd</sup> week in August. Wilkening question how long he thought it would take to attempt to craft a bonding bill. Persell stated that it would already be done and they would just go there and vote. Saxhaug stated that there could be a tax bill it would include some additional funding. There could be some millions of dollars that goes into transportation, mentioning that it could possibly fund a 371 study regarding a by-pass. Wilkening stated that the City would like to be a part of that. Saxhaug stated that had nothing to do with him. Wilkening stated that during a conversation that he had with the engineer he stated that he encouraged him to relook at the corridor study and would be a suitable option for the City and wouldn't damage us by having a by-pass but would improve traffic flow. Saxhaug continues on discussing gas tax, tax bill, income tax breaks for veterans and SFIA private forest lands for tax breaks. Shaw reminds Persell about the sales tax meeting; and how they were told by the sales tax committee that they didn't want us to use the sales tax for infrastructure projects, they also assured us that LGA for towns our size needed to come back up. Shaw refers the most current LGA numbers received are almost 15% less than last years. Persell and Saxhaug reassure the board that the new tax bill will bring those numbers up. Saxhaug states that Walker is faced with a unique situation with having a population of under a 1000, but supporting a more vibrant community than Deer River or Cass Lake. Wilkening stated that if our LGA doesn't recoup would the two of them be willing to bring our tax request back to the State Legislature. Persell stated that they could bring it back but the committee would be met with reluctance. Wilkening states that if the sales tax doesn't go that they are left with two options; combination annexation with our township. Saxhaug reminds the board what you annex requires you to do a lot more with infrastructure. Terri asks for clarification regarding the 2017 LGA numbers. In 2015 and 2016 we got back up to \$60,000, then in 2017, according to the email from the State this morning we are back down to \$51,000. We have lost almost \$10,000 again this year. So are you saying that if there is a tax bill, these certified numbers could go up in 2017? Persell stated that he believes there is a high likelihood that a special session will address

those issues. Wilkening asked if they would be willing to request MnDot to modify the contract issue to allow for a later date to conduct their storm sewer project on Main Street, because of the increase traffic flow in the summer with the current project going on, closing down blocks with already limited parking. Saxhaug and Persell request Bjorklund email them both with the information.

**CITY STAFF COMMENTS – Administrator Terri Bjorklund**

None.

**PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Senenfelder**

1. **M/S** Senenfelder/Wilkening to approve of Claim #52659 to Claim #52765 including Voided Check Numbers 52681, 52682 and 52745 and bank drafts in the amount of \$1,571,729.86.  
Motion passed (4-0)
2. **M/S** Senenfelder/Haeefe to approve of the Art-in-the-Garden proposal for an event to be held on August 6<sup>th</sup>, 2016 at the City Rock Garden contingent upon receiving certificate of liability naming the City of Walker as additionally insured and clarification of power amps needed.  
Terri clarified the concerns with electrical.  
Wilkening suggests having them work with Olson Electric.  
Motion passed (4-0)
3. **M/S** Senenfelder/Wilkening to approve of a 1 day Temporary Liquor License for the Walker Area Joint Fire Department, on August 19<sup>th</sup>, 2016 at the Walker Fire Hall for their annual fish fry fundraiser, contingent upon receiving certificate of liability.  
Motion passed (4-0)
4. **M/S** Senenfelder/Wilkening to approve to pay Invoice No. 58668 from Ulteig in the amount of \$75,534.83 for professional services through June 30, 2016 for the 2016 Southside Street and Utility Improvements.  
Motion passed (4-0)
5. **M/S** Senenfelder/Wilkening to approve to pay R.L. Larson Excavating, Inc. \$595,619.94 for partial payment No. 3 for project No. R15.00604 dated July 23<sup>rd</sup>, 2016 for the 2016 Southside Area and 5<sup>th</sup> Street North Utility and Street Improvements.  
Motion passed (4-0)
6. **M/S** Senenfelder/Wilkening to approve of Resolution 30-2016, a resolution accepting donations made to the City of Walker thru fiscal year 2016.  
Roll Call: Ayes: Haeefe, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
7. **M/S** Senenfelder/Wilkening to approve of Resolution 29-2016, a joint resolution authorizing the execution of an agreement to have the Leech Lake Band of Ojibwe become a participating member in the Walker Area Joint Fire Department.  
The board discusses if this would add to the budget or reduce the revenue.  
Senenfelder stated that it wouldn't reduce anything.  
Roll Call: Ayes: Haeefe, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)

**ECONOMIC DEVELOPMENT/LIQUOR STORE & AIRPORT –Mayor Shaw**

1. **M/S Shaw/Wilkening** to approve of Walker Planning Commission/Board of Adjustments Regular minutes of June 27<sup>th</sup>, 2016.  
Motion passed (4-0)
2. **M/S Shaw/Senenfelder** to approve of Ordinance 2016-07, adding Chapter 115 Shooting Ranges and amending appendix §1. Land use classification chart Zoning Restrictions.  
Motion passed (4-0)
3. **M/S Shaw/Wilkening** to approve of Resolution 34-2016, a resolution authorizing a summary publication of Ordinance 2016-07, adding Chapter 115 Shooting Ranges and amending appendix §1. Land use classification chart Zoning Restrictions.  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
4. **M/S Shaw/Wilkening** to approve of Ordinance 2016-08, adding §154.013, opting-out of the requirements of Minnesota statutes, section 462.3593  
Motion passed (4-0)
5. **M/S Shaw/Senenfelder** to approve of Resolution 35-2016, a resolution authorizing a summary publication of Ordinance 2016-08, adding §154.013, opting-out of the requirements of Minnesota statutes, section 462.3593  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
6. **M/S Shaw/Haefele** to approve of Resolution 04-2016, a resolution calling for a public hearing to receive public comment on the proposed adoption of Ordinance 2016-05, an Ordinance amending the City code, Chapter 155: Wireless Telecommunication Antennas and Towers.  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
7. **M/S Shaw/Senenfelder** to approve of Resolution 31-2016, a resolution calling for a public hearing to receive public comment on the proposed adoption of Ordinance 2016-09, an Ordinance amending the City code, Chapter 154: Zoning and Subdivision, Performance Standards, §154.042 Signs.  
Wilkening clarifies this is adding to the number of times.  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
8. **M/S Shaw/Wilkening** to approve of Resolution 32-2016, a resolution calling for a public hearing to receive public comment on the proposed adoption of Ordinance 2016-10, an Ordinance amending the City code, Chapter 154: Zoning and Subdivision, Special Provisions, §154.073 Solar Energy.  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)
9. **M/S Shaw/Senenfelder** to approve of Resolution 33-2016, a resolution calling for a public hearing to receive public comment on the proposed adoption of the updated City of Walker’s Comprehensive Plan.  
Roll Call: Ayes: Haefele, Senenfelder, Shaw, Wilkening                      Nays: None  
Motion passed (4-0)

**LIBRARY, PARKS– Councilmember Haefele**

1. **M/S** Haefele/Senenfelder to approve of the Library Board meeting minutes of June 15<sup>th</sup>, 2016.

Motion passed (4-0)

2. **M/S** Haefele/Senenfelder to approve of the Walker Park Advisory Board meeting minutes of June 28<sup>th</sup>, 2016.

Motion passed (4-0)

3. **M/S** Haefele/Wilkening to approve the recommendation of the Library Board to appoint Judy Anderson to the Library Building Committee Board.

Haefele questioned whether the library building board decides what happens with the building. Haefele reads from ordinance 94.02 section E. *It shall have exclusive control of the expenditure of all monies collected for or placed to the credit of the Library Fund, of interest earned on all monies collected for or placed to the credit of the Library Fund, of the construction of the library buildings, and of the grounds, rooms, and buildings provided for library purposes.*

*With the approval of the Council, the Library Board may purchase grounds and erect a library building thereon. ('86 Code, § 3-306)*

Wilkening explains what the previous council's thought process was. The intent was to develop consent with other entities to create a funding mechanism so the library could be funded by them as well as us. Haefele questioned if the library building committee exists; could they invite them to the Library Board meetings to discuss the library building. Valen stepped in to say that it looks like our Ordinance is seriously out of date and that it makes no reference to the regional library system other than the last section 94.07. And it makes no reference to 134.20 in 94.02. Valen suggested updating our ordinance to conform to the fact that we are now part of the Regional Library system. Valen believes that once the Regional Library system was formed it changed the scope of duties of the power of the local library board. Haefele questioned how to move forward. Wilkening suggested modifying the ordinance to reflect how we operate; which would be a process that would be handled by planning and zoning. Valen reminds the board that they did form a building committee and there is no reason why that building committee be injected with some life. Wilkening clarified that it would be important to have someone that was a city resident to be on the board, in his mind a property owner has the same vested interest. Bjorklund stated that the library building committee meets as needed and the reason they haven't met in a while is because they are basically at an impasse for funding. Bjorklund stated that she would contact people next week to schedule a meeting.

Motion passed (4-0)

Judy Anderson questioned why the checkbook was taken away. The board clarified the previous conversation. Carrie questioned until the ordinance is rewritten if they will be following something else. Valen stated they will be following state statute; if there is ever a conflict between our ordinance and state statute we have to follow state statute.

4. **M/S Haefele/Wilkening** to approve the recommendation of the Library Board to have the new Library built on the current site.

The board debates the different locations where the library building is proposed to be built. The areas mentioned are the current site, the park and Northern Aire plaza location. Senenfelder has concerns regarding the soil boring tests done at the current site. Bjorklund suggested having an engineer quote us prices of securing one site as opposed to the current site if we demolish and build new. She feels after receiving those quotes they would be better able to make a more educated decision on where the library building should be placed. Senenfelder stressed that this building can't make it another 3 years. Wilkening and Bjorklund discuss checking to see if funds have already been budgeted in the 2016 budget.

Motion failed (1-3)

**M/S Haefele/Wilkening** to approve to have an engineering study at two locations for to find the most suitable location for the future library building.

The board discusses the funds available to get this study done. Senenfelder reminded the board that at a previous meeting there was a motion made with money set aside for this during the initial planning when it was proposed to be built in the park. He remembered it possibly being a 7,000 or 60,000 or it was split. Wilkening thought maybe 30,000. Carrie questioned if the two locations they were referring to were the current location and the Northern Aire location, not the Park. Haefele confirmed that was correct. Senenfelder added that because of Wellhead Protection they would not be able to put any building within 50 feet from any of the wells. The playground that is being put in; they had to get an exemption just so they can put the border within the 50 feet, also noting that absolutely no play equipment would be allowed within the 50 feet. Wilkening added that when you make a community investment of that nature you should be putting within the core of the City. And that it should be a reasonable investment.

Motion passed (4-0)

5. **M/S Haefele/Wilkening** to approve of the request from the Walker Park Advisory Board to allocate funds in the amount of \$2,000 for Phase II Shingobee Connection Trail.

Motion passed (4-0)

#### **PUBLIC WORKS, SAFETY & CEMETERY – Councilmember Wilkening**

1. **M/S Wilkening/Shaw** to approve of the recommendation of the Public Works Committee to not remove the parking lot green space abutting Front Street; until at which time funds are available to build public restrooms for a trail head and further research has been completed for designing a trail from 5<sup>th</sup> Street to the Park.  
The board discusses that after some thought they thought it best to save the money and wait to develop a better plan.  
Motion passed (4-0)
2. Review and file email from MNDOT regarding a Storm Sewer project that will affect parking on Minnesota Avenue starting August 8<sup>th</sup>.

3. **M/S Wilkening/Haeefe** to approve of the recommendation of the Public Works Committee for the street closure request from Leech Lake Chamber on Friday September 9<sup>th</sup>, 2016 to Saturday September 10<sup>th</sup>, 2016 at 10:00 p.m. for Ethnic Fest on Rail Road Street from 4<sup>th</sup> Street to 5<sup>th</sup> Street.

Motion passed (4-0)

4. Old Business.

Wilkening stated that he wanted to have a conversation with Erin regarding what had happened at the public works committee meeting several weeks ago. 'It was pretty disheartening, and I take offense at you calling Terri a liar and threatening to sue the City, because when I look up here we are the City.' With changes in the phase schedule Wilkening stated that he has taken on more 'grief' from City residents stating that his integrity or doing special favors has been questioned. Haeefe stated that she apologized and she also apologized to Terri, stating the reason for her behavior was because she was very passionate at what may happen to her business and she felt that she was not informed and no one had reached out to her.

**OTHER BUSINESS –Mayor Jed Shaw**

- City offices and the Department of Motor Vehicles will be closed Monday September 5<sup>th</sup>, 2016 in observance of Labor Day.

**ADJOURNMENT-Mayor Jed Shaw**

Mayor Shaw adjourned the regularly scheduled Meeting at 7:33 p.m.

\_\_\_\_\_  
Jed Shaw, Mayor

Attest: \_\_\_\_\_  
Terri Bjorklund, Administrator