

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
Monday November 3, 2008**

CALL TO ORDER – Mayor Walhof

- Mayor Walhof called the regular scheduled meeting to order at 7:00 pm.
- Council members present: Fjelstul, Finney, Worth, Wilkening, Walhof
- Council members absent: None
- Others present during portions of the meeting included:

Terri Bjorklund, Administrator
Wayne Tennis, Police Chief
Will Hoyt, Landecker & Assoc.
Robert Mallory, Shingobee Twp.
Travis Baker, Police Officer
Lloyd Peterson, Senior Leech Lakers
Edy Asell, Zoning Administrator
Phil Anderson, Citizen

Sylvia Bakker, City Employee
John Valen, City Attorney
Dean Morrill, Pilot Independent
Shirley Mallory, Shingobee Twp.
Ken Bresley, Airport Commissioner
Ed Thue, Senior Leech Lakers
Willard Arends, Park Board

CONSENT AGENDA – Mayor Walhof

M/S Fjelstul, Finney to approve the Consent Agenda Items 1 thru 14 as follows:

1. Approve Walker City Council Regular Meeting Minutes of October 6, 2008.
2. Approve Claim #40566 thru Claim #40609, Claim #40611 thru Claim #40620, Claim #40622 thru Claim #40707, in the amount of \$215,756.59.
3. Approve Cash Balance Report for the month ending September 30, 2008.
4. Review and file Walker Police Departments Monthly Report.
5. Approve Landecker & Associates recommendation to pay Partial Payment Voucher # 2, in the amount of \$90,539.37 to Anderson Brothers for work completed on the Municipal Parking Project #082012.
6. Approve payment of Invoice #8464 in the amount of \$1,412.50 to Landecker & Associates for engineering services for the City Hall back Parking Lot.
7. Approve payment of Invoice #8465 in the amount of \$12,792.50 to Landecker & Associates for work completed on the Municipal Parking Lot Project.
8. Approve Landecker & Associates recommendation to pay Partial Payment Voucher # 1, in the amount of \$32,520.18 to Anderson Brothers for work completed on the City Hall Parking Project.
9. Approve payment of Invoice #208988 in the amount of \$9,825.00 to SEH for work completed on the Parallel Taxiway Preliminary Design, Wetland Delineation and Wetland Permit Application.

10. Approve payment of Invoice #13921 in the amount of \$6,777.58 to Tyler Technologies for Annual Maintenance Support on the Financial Management, Payroll & Utility Billing Software.
11. Review and file Cass County Economic Development Corporation September 2008 Activity Report.
12. Review and file Newsletter from Cass County Economic Development Corporation.
13. Review and file Notice of Pay Equity Compliance.
14. Addition of Ken Bresley, Airport Commissioner under Citizen Presentations.

SCHEDULED CITIZEN PRESENTATIONS – Mayor Walhof

- Ken Bresley, updated the Council on a Dept. of Aeronautics Meeting he and Administrator Bjorklund attended at Detroit Lakes.

CITY STAFF COMMENTS/CONCERNS – Administrator Terri Bjorklund

- City Administrator Terri Bjorklund updated the Council on the KRLS Joint Powers Agreement.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Fjelstul

1. M/S Fjelstul, Wilkening to approve the following transfers.

<u>General Fund</u>	To	<u>Street Capital Projects</u>
\$55,889.00		\$8,915.00
	To	<u>Parking Capital Projects</u>
		\$46,974.00
<u>Cemetery Savings</u>	To	<u>Cemetery Checking</u>
\$4,000.00		\$4,000.00

Motion passed: 5-0

2. M/S Fjelstul, Finney to approve Wayne Tennis, Police Chief’s request to purchase new tires for the Squad Cars, at a cost of \$825.00.

Motion passed: 5-0

3. M/S Fjelstul, Wilkening to approve Resolution 35-2008, a resolution supporting Leech Lake Area Youth Hockey conducting charitable gambling at the 502, Chase On The Lake.

Roll Call: Ayes: Fjelstul, Finney, Wilkening, Worth, Walhof Nyes: None

Motion passed: 5-0

4. M/S Fjelstul, Finney to approve Kitchigamie Regional Library request for the 2009 budgeted Equipment Reserve money in the amount of \$82.00, payable for the next 3 years in the year 2009, 2010 and 2011.

Motion passed: 5-0

5. M/S Fjelstul, Wilkening to approve a 3 year Contract from January 1, 2009 thru December 31, 2011 with Teamster’s Local Union NO. 346, Walker Police Department, as negotiated by the Police Commissioner & Administrator.

Motion passed: 5-0

ECONOMIC DEVELOPMENT/LIQUOR STORE – Councilmember Wilkening

1. **M/S** Wilkening, Worth to review and file Walker Planning Commissions Public Hearing and Regular Meeting Minutes of October 27, 2008.

Motion passed: 5-0

2. **M/S** Wilkening, Fjelstul to approve the outstanding conditions set forth on the Senior Citizen Centers Conditional Use Permit LU 2008-10.

Conditions:

1. Submittal of storm water retention on the subject parcel to satisfaction of City Engineer per ordinance requirements.
2. Minnesota Department of Transportation approval of the proposed driveway accesses to T.H. #34 with written verification of such approval to the City prior to any work in State right-of-way.
3. Proposed building shall be connected to municipal sanitary sewer and water.
4. All structures, including sidewalks and driveways, to be within setbacks.
5. Submittal of bluff calculations from design firm, showing that structure does not need to meet bluff setback requirements, or a design meeting bluff setback requirements, if applicable.
6. Parking to be provided per ordinance requirements §154.049
7. Submittal and approval of a landscaping plan.
8. Submittal and approval of a sign and lighting plan.
9. The proposed use and structures must meet all other City ordinance requirements. Failure by the owner to act within six months, or failure to complete the work under a conditional use permit within one year, unless extended by the Planning Commission, shall void the permit.

Condition #1. The City Engineer has stated that the applicant is providing design for storm water retention to meet the City Engineer standards.

Condition #2. MN DOT official, Mike Kamnikar, says the process of approving a single access to the lot is underway, and he does not see a problem with approval. Written approval will be submitted prior to work in right of way.

Condition #7. A revised landscaping plan has been submitted showing new tree plantings along the southern lot line. Plantings shall conform to screening standards for adjacent residential property. Landscaping within the setback area of Highway 34 may not interfere with visibility for vehicular or pedestrian traffic.

Condition #8. The proposed sign must meet sign ordinance and setback requirements including the 30 foot setback from Highway 34.

Motion passed: 5-0

3. **M/S** Wilkening, Worth to review and file Zoning Administrators Monthly Report.
4. **M/S** Wilkening, Finney to approve directing the City Administrator to advertise for RFP's for the City of Walker's Engineering Firm, for fiscal year 2009.

Motion passed: 5-0

2. **M/S** Wilkening, Worth to approve directing the City Administrator to advertise for RFP's for the City of Walker's City Attorney/Data Practice Compliance Official for fiscal year 2009.

Motion passed: 5-0

PARKS & RECREATION/LIBRARY – Councilmember Worth

1. **M/S** Worth, Wilkening to review and file Walker Park Board Meeting Minutes of October 28, 2008.

Motion passed: 5-0

2. **M/S** Worth, Finney to approve the Walker Park Board's recommendation to have the City Administrator to advertise for new quotes for the stairs to be located in the City Park.

Motion passed: 5-0

PUBLIC WORKS & SAFETY/ CEMETERY– Councilmember Finney

1. **M/S** Finney, Fjelstul to consider quote in the amount of \$490.00 to repair the manifold in the Cemetery Pump House.

Motion passed: 5-0

2. **M/S** Finney, Wilkening to consider approval to offer Hospitality Investors, LLC the following TIF Settlement proposal.
 1. The Development Agreement would be amended to decrease the figure in section 7.1 from \$53,400.00 to \$28,000.00, contingent on item 5 below.
 2. Hospitality Investors, LLC would pay to the city, for tax increment shortfalls for the years up to and including 2008, the sum of \$150,000.00, with \$50,000.00 payable upon execution of the Agreement and \$50,000.00 on each of the two succeeding anniversary dates.
 3. The unpaid balance of \$100,000.00 would be secured by a mortgage on the Real Estate, which is subject to TIF financing.
 4. Hospitality Investors, LLC would execute the documents necessary to establish a Confession of Judgment for the full amount of \$171,205.58, less amounts paid.
 5. Upon default in the required payments by Hospitality Investors, LLC, judgment would be entered pursuant to the Confession of Judgment. Default would also constitute a default in the mortgage, and would nullify the reduction in the shortfall threshold, which would then be restored to \$53,400.00 retroactive to the year 2009.

Motion passed: 5-0

3. **M/S** Finney, Fjelstul to approve change order in the amount of \$38,283.91 to add four decorative lights to the Municipal Parking Project.

Motion passed: 5-0

4. **M/S** Finney, Wilkening to approve the award of base bid contracts with Young Excavating, and Maguire Iron, Inc. for the Ah-Gwah-Ching Water main Improvements to Water Tower and Elevated Storage Tank, with cost not to exceed the available State Deed Funds.

Motion passed: 5-0

M/S Wilkening, Finney to approve that the County be aware that any over-runs and potential contingencies in relationship to the water main extension and water tower construction, funded by State Deed Grants, that it would be their responsibility to cover these and acknowledge that part in the award contract.

Motion passed: 5-0

- 5. M/S Finney, Fjelstul to approve Nick Zubke, Maintenance Supervisor's request to order cutting blades for the Snow Plow at an estimated cost of \$928.21.

Motion passed: 5-0

OTHER BUSINESS – Mayor Walhof

- The Regular Meeting of the City of Walker Planning Commission scheduled for November 24, 2008, has been moved to November 17, 2008 at the Walker Fire Hall, 701 Elm Street at 5:30 p.m.
- The Regular Meeting of the City of Walker Park Board scheduled for November 25, 2008, has been moved to November 18, 2008 at Walker City Hall, 203 Minnesota Ave. W at 3:15 p.m.
- The Walker City Council will continue this Meeting until Thursday November 6th, 2008 at 5:00 p.m. at the Walker Fire Hall Meeting Room, 701 Elm Street to canvass the City of Walker's Election Results.
- The City of Walker's TNT Hearing will be held on Monday December 1, 2008, at 6:30 p.m. at the Walker Fire Hall Meeting Room, 701 Elm Street, Walker, MN
- Monday November 24, will be the deadline

CONTINUATION – Mayor Walhof

Mayor Walhof continued the meeting at 7:42 until 5:00 p.m. Thursday November 6th, 2008, Walker Fire Hall Meeting Room, 701 Elm Street.

Bradley J. Walhof, Mayor

Attest: _____
Terri Bjorklund, Administrator