WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, MARCH 1, 2021

Due to the COVID-19 pandemic, Governor Walz under Minn. Stat. Chapter 12 – Emergency Management declared a peacetime emergency on March 13th, 2020. The City has determined that an in-person meeting may not be practical or prudent because of the health risks due to the pandemic. The City of Walker Meetings will be held via telephone conference call or by other electronic means as outlined in Minn. Stat. 13D.021. Members of the public who wish to view the meeting virtually should submit a request to hfairchild@ci.walker.mn.us by Friday, February 26th at 3 p.m.

The City of Walker Council Meeting will be a "hybrid meeting" taking place with two (2) options. You can attend in person at the Walker Fire Hall, located at 701 Elm Avenue or attend virtually via Zoom by sending a request to hfairchild@ci.walker.mn.us.

CALL TO ORDER – Mayor McMurrin
Mayor Annie McMurrin called the regularly scheduled meeting to order at 6:00 p.m.

- Pledge of Allegiance
- Councilmembers present: Annie McMurrin, Mary Beth Hansen, Gary Wilkening, and Jim Senenfelder (via Zoom)
- Councilmembers absent: Char Moore
- Others present during portions of the meeting include:

Hope Fairchild, City Administrator
Wayne Tennis, Chief of Police
John Valen, City Attorney
Joe Kramer, Respect Minnesota
Peggy Trimble, Library Board
Jon Knowles, Self
Pat Kastning, Self
Aimee Bouchard, Green Scene
Fred Rogers, Library Board
Jim Clark (via Zoom), Self
Cindy Wannarka (via Zoom), Self
Karen Bushy (via Zoom), Self
Jennie Meyer, City Staff
Travis Baker, Police Officer
Kathy Ross, Respect Minnesota
Joe Sherman, Shingobee Township
Linda Nye, Library Board
Carrie Huston, Librarian
Theresa Bilben, Library Board
Erin Haefele, Green Scene
Ryan Haefele, Green Scene
Jerry Bolin (via Zoom), Self
Kristin Holly (via Zoom), Self

CONSENT AGENDA – Mayor McMurrin
M/S Hansen/Wilkening to approve consent agenda items 1 through 15 as follows, waving the reading.

1. Approve Walker City Council regular and public hearing meeting minutes of February 1, 2021.
2. Review and file draft of Walker Planning Commission/Board of Adjustments regular meeting minutes of February 22nd, 2021.

3. The February Walker Park Advisory Board meeting was not held due to lack of business.
4. Review and file draft of Walker Public Library Board meeting minutes of February 17th, 2021.
5. Review and file Public Works Committee meeting minutes of February 23rd, 2021.
6. Review and file Walker Area Joint Fire Department Minutes of February 11th, 2021.
7. Approve Cash Balance Report as of January 31st, 2021.
8. Review and file Sales Tax Receipts.
9. Review and file letters to Shingobee Township and Turtle Lake Township discussing outdoor rink funding.
10. Review and file letter from the Minnesota Department of Health and Walker Fluoridation Quality Award to the City of Walker in 2019.
11. Review and file letter from Nick Zelle of Jefferson Lines.
12. Approve payment of invoice no. 400094 in the amount of $2,410.00 to SEH for Walker Municipal Airport 2020 Beacon and REIL Replacement – Construction Phase. (85% of $24,100.00 less previously billed of $18,075.00)
13. Approve payment of Application for Payment No. 2 in the amount of $18,288.43 to Design Electric, Inc. for 2020 Beacon and REIL Replacement Project.
14. Approve payment of invoice no. 11830 in the amount of $16,126.77 to HyTec Construction for trailhead restroom construction.
15. Approve of the payment of invoice no. 21-027 in the amount of $2,273.82 to Minnesota Backflow for water plant back flow preventors.
    Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
    Motion passed (4-0)

SCHEDULED CITIZENS PRESENTATION – Mayor McMurrin

- Presentation of Respect Minnesota by Kathy Ross.
  "Respect Minnesota is a positive, impartial initiative that was developed during the planning and permitting process of the Line 3 Replacement Project. It is centered on a pledge to honor and respect people and their opinions and to provide a safe environment for everyone."

SCHEDULED ADVISORY BOARD PRESENTATION – Mayor McMurrin

- Mary Beth Hansen representing the Library Board, in conjunction with Carrie Huston, Walker Librarian, presented on why the old "Lucky Moose" building should be turned into the new Walker Public Library.

CITY STAFF COMMENTS – Administrator Hope Fairchild

- The City of Walker has been recognized with a 2019 Water Fluoridation Quality Award for excellence in community water fluoridation. This award was given by the Centers for Disease Control and Prevention (CDC) every year to communities maintaining a consistent level of fluoride in drinking water throughout the year. Thanks to the Public Works Department for the great work.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Senenfelder

1. **M/S** Hansen/Wilkening to approve of claim no. 59026 to claim no. 59133 including voided check numbers 59066 and 59067 and bank drafts in the amount of $416,719.31.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:

Motion passed (4-0)

2. **M/S** Hansen/Wilkening to approve of not waiving the statutory Tort limits established by MN Statute 466.04.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
3. **M/S** Hansen/Wilkening to approve of receiving an analysis from Ehler's to seek clarification on Northside Project Bonds at the cost of $2,500.00.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
4. Discussion on if Arvig Franchise Fees should continue to go into the sidewalk account. Councilor Senenfelder stated that the franchise fees are from Arvig, not Leech Lake TV. Councilor Wilkening stated that they money was originally set aside for the outdoor restrooms, but money for that project was taken from somewhere else. Then, the franchise fees were put towards new sidewalk construction. He stated that the sidewalk fund needs to be developed, or else there will be a problem when the 371 project takes place. Councilors agreed to leave the franchise fee funds in the sidewalk account.
5. **M/S** Hansen/Wilkening to approve of Green Scene's liquor license application for On Sale and Sunday Licenses, contingent upon city inspection of the building.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
6. **M/S** Hansen/Wilkening to approve of the brewery license application from Portage Brewing Company LLC, located at 107 5th Street South, for Brewer Off-Sale, Off Sale Sunday Growler, and Tap Room On-Sale/Sunday licenses.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
7. **M/S** Hansen/Wilkening to approve of Resolution 13-2021, a Resolution Authorizing Summary Publication of Ordinance 2021-01, an Ordinance Amending Ordinance 2019-01, Adopted on 2/04/2019 and Titled "2019 Fee Schedule," amended to "2021 Fee Schedule."
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
8. **M/S** Hansen/Wilkening to approve of City of Walker Policy No. 01-2021: DOT Drug and Alcohol Testing for Commercial Drivers Policy.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
9. **M/S** Hansen/Wilkening to approve of City of Walker Policy No. 02-2021: Computer Use Policy.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
10. **M/S** Hansen/Wilkening to approve of City of Walker Policy No. 03-2021: Social Media Policy.
    Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
    Motion passed (4-0)
11. **M/S** Hansen/Wilkening to approve of the successful completion of Janice Pfarr's six-month probationary period and adding a 3% increase to her hourly wage, effective March 19th, 2021.
    Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:

Motion passed (4-0)

ECONOMIC DEVELOPMENT, LIQUOR STORE, AIRPORT & LIBRARY – Councilmember Hansen

1. **M/S** Hansen/Wilkening to approve of the Walker Planning Commission/Board of Adjustments Meeting Minutes of October 26th, 2020.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
2. **M/S** Hansen/Wilkening to approve of the recommendation of the Planning Commission to approve of LU-2021-01, an interim use permit (IUP) for a Vacation/Private Rental Home located at 703 Cleveland Blvd. W with the following proposed findings of facts and conditions.

   Proposed Findings - The following findings of fact are provided for consideration by the Board of Adjustment:

   1) There are no changes to the structure, therefore prevention of soil erosion or other possible pollution of public waters does not apply.
   2) There is no change to the visibility of structures and other facilities as viewed from public waters.
   3) The site is currently serviced with city water and sewer.
   4) The application does not have lake access for watercraft.
   5) The Vacation/Private Home Rental is an allowed use through an approved Interim Use Permit.
   6) The property is zoned Residential.
   7) The Comprehensive Plan of 2016 supports the allowed regulatory flexibility within the City to expand housing options.
   8) Rules are provided and enforced to ensure guests do not interfere with the enjoyment of neighboring properties.
   9) The council has the opportunity to place conditions as part of the Interim Use Permit application.
   10) The proposed use, with conditions, is not considered to be injurious to public health, safety, decency, order, comfort, convenience, appearance, or prosperity.

   Proposed Conditions - The following conditions are provided for consideration by the Board of Adjustment:

   1) The appropriate lodging license must be obtained from the Minnesota Department of Health in order for the IUP to be valid. An IUP granted by the City is contingent upon the applicant's receipt of an appropriate lodging license. Failure to obtain an appropriate lodging license within 30 days of IUP approval shall render the IUP void.
   2) The initial term of a vacation rental IUP is two years. The property owner may thereafter apply to renew the IUP for a term of two years. There are no automatic renewals. Each initial and renewal application is subject to an inspection as provided in paragraph 3.
   3) The property shall be inspected by the City Building Inspector (the "Initial Inspection") to ensure compliance with the applicable building codes and ordinances. In the event that modifications are needed to the property after the Initial Inspection, additional inspections may be required. The applicant is responsible for all inspection fees. The City Building Inspector shall provide a report to the City regarding the home's compliance within 30 days once the renovations are completed or the IUP shall be rendered void.

4) Any modifications to the property rendering the property unsuitable for residential use under the Walker City Code or State Building Code may be grounds for revocation of the IUP.
5) Due to normal differences in operation, the IUP shall not be transferrable to a new owner, nor transferable to a different property. Any change in ownership of the property shall terminate the IUP and require a new application and process if the use is to continue.
6) Each permittee is required to carry general liability insurance on the subject property with minimum coverage of $1,000,000.00 per occurrence. An umbrella policy may be used in conjunction with liability coverage to reach the $1,000,000.00 minimum. A certificate of insurance shall be provided to the City upon request of the City.
7) One off-street parking space per every two bedrooms shall be provided on-site. Garage spaces may be counted towards required parking spaces on a one-to-one basis. Parking spaces applied toward requirement must be concrete, asphalt, or other approved alternative. Parking on grass or dirt is not allowed.
8) Signage. Notwithstanding any other provision of the zoning ordinance, no signage shall be allowed unless specifically allowed by IUP.
9) Licensee shall keep a report detailing use of the home by recording, at minimum, the name, address, phone number and vehicle license number of all guests using the property. A copy of the report shall be provided to the City and law enforcement upon request.
10) Three (3) warnings of noncompliance with the City of Walker Ordinance Article V Performance Standards Section 109-153: Nuisances will terminate the IUP.
11) If a problem arises, the owner or registration agent must respond to the issue within a two-hour time frame.
12) Notification of house rules shall be posted both on the property and also in the rental; documents will state the following: "This property is located in a residential zoning district. Please be considerate of neighbors. Quiet hours shall be observed between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and 11:59 p.m. and 7:00 a.m. Friday evening through Sunday morning."

Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
Motion passed (4-0)

3. **M/S** Hansen/Wilkening to approve of the recommendation of the Planning Commission to send letter to Cass County Land Department to hold sale of parcel no. 96-135-3201 for a period of six months in order to give the City time to review.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
4. **M/S** Hansen/Wilkening to approve of the recommendation of the Planning Commission to advertise City-owned parcel no. 96-120-0001 and 96-027-0001 for bid and add stipulation that tax capacity must be developed on the property within three years.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
5. Discussion on selection of airport engineering firm.
   Councilor Wilkening stated that SEH has been the City's airport engineering firm for a long time, at least a dozen years. He also stated that a past engineer at SEH who worked on the City's airport now works for the FAA, so that is a benefit to the City because that person understands the City's airport.

Administrator Fairchild stated that she talked to Jon Stewart and Public Works Director Mike Ridlon and they were happy with the work that SHE has done. Fairchild stated she was too.

6. **M/S** Hansen/Wilkening to approve to continue to work with SEH as the City's airport engineering firm.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
7. **M/S** Hansen/Wilkening to approve of the Library Board's recommendation to reappoint Linda Nye to her second term on the Library Board.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
8. Discussion on the Library Board's Presentation of the old "Lucky Moose" building as the new Walker Public Library Building.
   Councilor Wilkening stated that he was not any more in favor of the old "Lucky Moose" building as the new Walker Public Library tonight than he was at the February meeting. He stated that the property was going to sheriff's auction in nine days.
   Councilor Wilkening stated that one thing that has held a new library back in the past was not being able to agree on how it was going to be funded. He stated that he didn't think that the City of Walker should move forward and build or buy a library without having the Townships be a part of it – that an agreement should be worked out ahead of time.
   Councilor Hansen stated that the City has been playing that game for ten years.
   Councilor Wilkening stated that Township residents should be going to their Boards and urging them to work with the City of Walker on funding for a new library.
   Councilor Hansen stated that Township Boards are waiting on a solid plan from the City of Walker.
   Councilor Wilkening stated that the City brought up a cooperative agreement to the Townships for the library, park, airport, etc., like the one that the surrounding community has for the Fire Department, but the Townships were not interested at that time. He stated that he thought that long-term the Lucky Moose building was going to require a lot of maintenance. It sat for a year without heat and air conditioning, and when he toured it, there was frost on the inside of the building. He stated that if the City were to rush out and buy the building, it would have to sit and wait for another year-and-a-half before maintenance to the outside of the building could be completed. He stated that he did not support it.
   Councilor Senenfelder stated that he agreed with pretty much everything Councilor Wilkening said. He stated that he did not think that the building was a good fit. He didn't mind the location, but he did not like the building. Councilor Senenfelder stated that the City just got out of a bad building, and the City would be going back to the same situation if they were to purchase the "Lucky Moose" building. He stated that you can't set logs on the ground and expect them to last. He stated that he built a log home in 2000 and he was told that the bottom log needed to be a minimum of fifteen inches off the slab.
   Councilor Senenfelder stated that he thought that the City needed to get together with the Townships along with both public and private entities to fund a new library, but that he did not think that the "Lucky Moose" building was the right fit.
   Mayor McMurrin questioned why the City should be responsible and risk all of their money without having an agreement in place with surrounding Townships. She stated that if there are many people/organizations that would like to donate money to the construction of a new

library, then they should donate it to the City and the money would go in the library building fund.

Joe Sherman, representing Shingobee Township, stated that he had talked to a local organization that was willing to do an endowment, and that could be used for the outside maintenance of the "Lucky Moose" building.

Councilor Wilkening stated that this would only take care of the outside of the building, and not the issues on the inside.

Comments from the public and Library Board were heard.

9. **M/S** Hansen/Wilkening to approve the recommendation of the Library Board to purchase the old "Lucky Moose" building, contingent on a building inspection and other items as mentioned.

   Carrie Huston, Walker Librarian, stated that she and members of the Library Board discussed putting forth an offer between $350,000 - $400,000.

   Councilor Hansen stated that it was the City's fiscal responsibility to move forward with the purchase of the "Lucky Moose" building because the City has the money to do so and the City can put conditions on the offer. She stated that by doing this, she could take this to different organizations and surrounding Townships to show that the City has a plan.

   Councilor Wilkening stated that a library would have been built if it had not been opposed by people at the park. He stated that another property located near 371 was looked at. Councilor Wilkening stated that he thought to jump the gun and buy the "Lucky Moose" building was something that the City would regret.

   Mayor McMurrin and Councilor Wilkening stated that they both support a new library, and that everyone that is on the Council supports a new library.

   Councilor Wilkening stated that he doesn't think that the City should pay for it alone, and that the City shouldn't purchase anything without entering into an agreement with the surrounding communities first.

   Roll Call: Ayes: Hansen Nays: McMurrin, Senenfelder, Wilkening
   Motion failed (3-1)

PARKS & AMBULANCE BOARD – Councilmember Moore

1. **M/S** Wilkening/Hansen to approve of request from Councilor Jim Senenfelder to fill in on Park Board until Councilor Char Moore is able to return.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)

PUBLIC WORKS & SAFETY/CEMETERY – Councilmember Wilkening

1. **M/S** Wilkening/Hansen to approve of the recommendation of the Public Works Committee to not move forward with the proposal from City Sanitary for garbage services.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)
2. **M/S** Wilkening/Hansen to approve of the following bid estimates from Turf Technology LLC:
   - Estimate no. 2100 in the amount of $15,500.00 for May – October Maintenance at the Evergreen Cemetery.

- Estimate no. 2101 in the amount of $3,000.00 for two non-selective herbicide applications at Ah-Gwah-Ching, New Industrial Park Road, Walker Bay Blvd., and the holding pond across from Highland Apartments.
- Estimate no. 2102 in the amount of $1,500.00 for spring start-up and winterization of the Evergreen Cemetery irrigation system.
- Estimate no. 2103 in the amount of $2,700.00 for two lawn applications of balanced fertilizer and broad leaf herbicide at City Park and City Hall.
- Estimate no. 2104 in the amount of $2,300.00 for two herbicide applications covering all broadleaf weeds at the Evergreen Cemetery.
- Estimate no. 2105 in the amount of $200.00 for herbicide of 130' x 60' area of City property located off of 2nd Street.

Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
Motion passed (4-0)

OTHER BUSINESS – Mayor McMurrin

- Walker Bay Spirits will be closed on Easter Sunday, April 4th, 2021.
- The City Council will now go into a closed session to discuss possible excess land sales: parcel numbers 96-120-0001 and 96-027-0001.

Regular meeting closed at 7:19 p.m.

Regular meeting opened at 7:33 p.m.

1. **M/S** Hansen/Wilkening to approve of the excess land sale of parcel no. 96-120-0001 and 96-027-0001 by sealed bid at the price of the estimate land values provided by Cass County. Advertising will begin on the 10th of March, and bids must be received by Wednesday, April 28th at 3 p.m. The bids will be opened at the Monday, May 3rd Council Meeting, where the Council reserves the right to open the bids up to auction.
   Roll Call: Ayes: Hansen, McMurrin, Senenfelder, Wilkening Nays:
   Motion passed (4-0)

ADJOURNMENT – Mayor McMurrin

Mayor Annie McMurrin adjourned the meeting at 7:38 p.m.

_____ Attest:_____

Annie McMurrin, Mayor Hope Fairchild, Administrator/Clerk-Trs.