

**WALKER CITY COUNCIL
REGULAR MEETING MINUTES
WALKER FIRE HALL MEETING ROOM
MONDAY, JULY 12, 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, July 9th 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

Acting Mayor Wilkening called the regularly scheduled meeting to order at 6:00 p.m.

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

Hope Fairchild, City Administrator
Mike Ridlon, Public Works Director
Kobey Layne, City Intern
Jeff Kellogg, Self
Jeannie Wood, Self
Ron Palmer, Self
Jim Utne, Self
Nels Kramer, Self
Ryan Pels, Post 134 Auxiliary
Jon Roscoe, Auditor
Kathi Cadmus, Self

Wayne Tennis, Chief of Police
Jennie Meyer, City Staff
Dean Morrill, Pilot Independent
Nancy Nelson, Self
Tony Sauer, American Legion
Sharon Palmer, Self
Peggy Trimble, Library Board
Eric Loge, Waste Partners
Joanne Pels, Post 134 Auxiliary
Mark Vondenkamp, Portage

AUDITOR’S PRESENTATION – Mayor McMurrin

- Miller McDonald presentation of the 2020 Audit Report.

OPENING OF SEALED BIDS – Mayor McMurrin

1. **M/S Wilkening/Senenfelder** to approve of tabling the opening of sealed bids for the excess land sale of parcel no. 96-027-0001 until the August 2021 meeting.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

CONSENT AGENDA – Mayor McMurrin

M/S Hansen/Senenfelder to approve consent agenda items 1 through 22 as follows, waiving the reading.

1. Approve Walker City Council regular meeting minutes of June 7, 2021.
2. Review and file draft of Walker Planning Commission/Board of Adjustments regular meeting minutes of June 28th, 2021.
3. Review and file May 2021 Zoning Administrator Report.
4. Review and file Park Advisory Board meeting minutes of June 22nd, 2021.
5. Review and file draft of Walker Library Board meeting minutes of June 16th, 2021.
6. Review and file Public Works Committee meeting minutes of June 29th, 2021.
7. Review and file draft of Cemetery Board meeting minutes of June 24th, 2021.
8. Review and file Walker Area Joint Fire Department Minutes of June 10th, 2021.
9. Review and file Walker Police Department Monthly Report.
10. Approve Cash Balance Report as of May 31st, 2021.
11. Review and file Sales Tax Receipts.
12. Review and file statement of remittance from Cass County dated June 21st, 2021.
13. Review and file statement of remittance from Cass County dated July 2nd, 2021.
14. Review and file letter from the League of Minnesota Cities in regard to preliminary maximum membership dues schedule increase of 4% for the fiscal year 2021-2022.
15. Approve of payment to Minnesota Association of Small Cities in the amount of \$530.85 for 2021-2022 membership dues.
16. Approve of paying invoice no. 106865 in the amount of \$11,754.24 to Ulteig for professional services through May 8th, 2021 for the 2020 Northside Project.
17. Approve of paying invoice no. 106987 in the amount of \$13,911.04 to Ulteig for professional services through May 22nd, 2021 for the 2020 Northside Project.
18. Approve of Application for Payment No. 7 to RL Larson Excavating Inc. in the amount of \$337,837.20 for 2020 Northside Project construction through June 25th, 2021.
19. Approve of invoice no. 18170 to Turf Technology LLC in the amount of \$3,100.00 for Evergreen Cemetery May Lawn Mowing.
20. Approve of invoice no. 18220 to Turf Technology LLC in the amount of \$2,020.00 for Evergreen Cemetery irrigation system.
21. Approve of invoice no. 406338 to SEH, Inc. in the amount of \$52,275.00 for Walker Municipal Airport 2021 Crack Seal & SRE Building Final Design Phase.
22. Approve of Application for Payment no. 3 FINAL to SEH, Inc. in the amount of \$10,534.88 for 2020 Beacon and REIL Replacement Project.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

SCHEDULED CITIZENS PRESENTATION – Mayor McMurrin

- Nancy Nelson and Jeanie Wood: safety, parking, aesthetic concerns of Northside Project on Cleveland Blvd.

CITY STAFF COMMENTS – Administrator Hope Fairchild

None.

PERSONNEL, BUDGET & ADMINISTRATION – Councilmember Senenfelder

1. **M/S Senenfelder/Hansen** to approve of claim no. 59446 to claim no. 59565 including voided check numbers 59475, 59486, 59487, and 59517 and bank drafts in the amount of \$248,505.35.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
2. **M/S Senenfelder/Hansen** to approve of accepting the 2020 Audit as presented in paper form.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
3. **M/S Senenfelder/Hansen** to approve of Resolution 24-2021, a Resolution Calling for Hearing on Proposed Assessment.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
4. **M/S Senenfelder/Hansen** to approve of Resolution 25-2021, a Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
5. **M/S Senenfelder/Hansen** to approve of the application for a 1-day to 4-day temporary on-sale liquor license application from Portage Brewing Company taking place in the Arvig parking lot on August 21st, September 4th, and September 25th, 2021.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
6. **M/S Senenfelder/Hansen** to approve of having Ehler’s fill out and submit the City of Walker’s 2020 TIF Reports.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
7. **M/S Senenfelder/Hansen** to approve of requesting Coronavirus State and Local Fiscal Recovery Funds.
Administrator Fairchild stated that the exact amount has not been set yet, but it appears that it will be about \$103.00 to \$105.00 per person. Based on Walker’s population of 934 and using \$104.00/person, the amount received should be around \$97,136.00.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
8. **M/S Senenfelder/Hansen** to approve of Administrator/Clerk-Treasurer Fairchild being the authorized representative to request Coronavirus State and Local Fiscal Recovery Funds and Deputy Clerk Mitchell being the contact person for the request of said funds.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
9. **M/S Senenfelder/Hansen** to approve of the payment of statement no. 65718 to Ehler’s in the amount of \$2,200.00 for \$600,000.00 General Obligation Improvement Bonds, Series 2007A.
Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**
Motion passed (4-0)
10. **M/S Senenfelder/Hansen** to donate to the Initiative Foundation in the amount of \$500.00 in 2022.

Councilmembers agree the Initiative Foundation has been very helpful to the local businesses.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

11. **M/S** Senenfelder/Hansen to donate \$500.00 to the Cass County Museum.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

12. **M/S** Senenfelder/Hansen to approve of following City Ordinance now that the Minnesota Peace Time Emergency is over and notify all residents that late fees and water shut-offs will begin in September.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

ECONOMIC DEVELOPMENT, LIQUOR STORE, AIRPORT & LIBRARY –

Councilmember Hansen

1. **M/S** Hansen/Senenfelder to approve of the Walker Planning Commission/Board of Adjustments Meeting minutes and public hearing minutes of May 24th, 2021.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

2. **M/S** Hansen/Senenfelder to approve of Ordinance 2021-03, a Zoning Reclassification from Transitional Commercial to Multi-Family Residential.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

3. **M/S** Hansen/Senenfelder to approve of Ordinance 2021-04, a Zoning Reclassification from Low Density Residential to General Commercial.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

4. **M/S** Hansen/Senenfelder to approve of Resolution 23-2021, a Resolution Authorizing Summary Publication of Ordinance 2021-03 and Ordinance 2021-04, Ordinance Changes to the Official Zoning Map.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening **Nays:**

Motion passed (4-0)

5. **M/S** Hansen/Senenfelder to approve of the recommendation of the Planning Commission/Board of Adjustments to approve of LU-2021-09, an Interim Use Permit for a Vacation/Private Home Rental located at 815 Front St. 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 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.
- 2) The property shall be inspected by the City Building Inspector (the "Initial Inspection") to ensure compliance with the applicable building codes and ordinances. If 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.
- 3) In the event the owner's house rules change from requiring weeklong rentals, to anything less, a lodging license must be obtained through the Minnesota Department of Health.
- 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 another 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 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: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

PARKS & AMBULANCE BOARD – Councilmember Moore

1. **M/S** Senenfelder/Hansen to approve of the Park Advisory Board meeting minutes of May 25th, 2021.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

2. **M/S** Senenfelder/Hansen to approve of the recommendation of the Park Advisory Board to approve of the park application for Jami’s Baby Shower: requested by Cherri Landt for the use of the lower City Park. Set-up will take place on July 30th from 2:30 p.m. until 4:00 p.m., actual event will take place from 4:00 p.m. until 6:00 p.m., and clean-up will take place from 6:00 p.m. until 7:00 p.m. Estimate of 20-40 participants and spectators.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

3. **M/S** Senenfelder/Hansen to approve of the recommendation of the Park Advisory Board to approve of the park application for a surprise party: use of the lower City Park. Set-up will take place on August 14th from 2:00 p.m. until 4:00 p.m., actual event will take place from 4:00 p.m. until 7:00 p.m., and clean-up will take place from 7:00 p.m. until 8:00 p.m. Estimate of 100 participants and spectators.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

4. **M/S** Senenfelder/Hansen to approve of the recommendation of the Park Advisory Board to approve of the park application for Veronica Converse Memorial: requested by Jessica Martinson for the use of the lower City Park. Set-up will take place on July 24th from 9:00 a.m. until 10:30 a.m., actual event will take place from 10:30 a.m. until 1:30 p.m., and clean-up will take place from 1:30 p.m. until 3:30 p.m. Estimate of 50-75 participants and spectators.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

5. **M/S** Senenfelder/Hansen to approve of the recommendation of the Park Advisory Board to approve of the park application for Birthday/Family Get-Together: requested by Rachel Lundquist for the use of the upper City Park. Set-up, actual event, and clean-up will take place on July 31st from 11:00 a.m. until 2:15 p.m. Estimate of 30 participants and spectators.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

6. **M/S** Senenfelder/Hansen to approve of the recommendation of the Park Advisory Board to approve of the park application for BBQ Cook-Off: requested by the American Legion for the use of the lower City Park. Set-up will take place on September 4th from 4:00 p.m. until 5:00 p.m., actual event will take place on September 5th from 5:00 a.m. until 6:00 p.m., and

clean-up will take place on September 5th from 6:00 p.m. until 8:00 p.m. Estimate of 400+ participants and spectators.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

PUBLIC WORKS & SAFETY/CEMETERY – Councilmember Wilkening

1. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of a sewer lift pump for Walker Bay Blvd. lift station in the amount of \$2,589.69 from USA Blue Book, invoice no. 652959. City staff will install.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

2. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of the lowest bid price of \$6,600.00 from Northern Paving to patch a spot on Railroad Ave. and 7th Street.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

3. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of the purchase of a set of snow tires for the City bobcat in the amount of \$2,015.00 from Snow Wolf Company.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

4. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of Walker Bay Live's request to close the end of 5th Street next to City Dock up to Cleveland Blvd. starting on August 19th at 12:00 p.m. and ending on August 19th at 9:30 p.m.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

5. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of Walker Bay Live's request to use City property: 6 cones and 2 barricades.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

6. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of Reed's Family Outdoor Outfitters' request to close 6th Street between Minnesota Avenue and First National Bank's access from August 20th at 4:00 p.m. until August 22nd at 10:00 p.m., contingent upon the City receiving a completed fence permit application and fee for the property located at 603 Minnesota Ave. W.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

7. **M/S** Wilkening/Senenfelder to approve of the recommendation of the Public Works Committee to approve of Leech Lake Area Chamber of Commerce's request to close Highway 200/371 from the junction of Highway 34 to Walker City Park for Ethnic Fest Parade on September 11th beginning at 11:00 a.m. and ending at 12:00 p.m.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

8. **M/S Wilkening/Senenfelder** to approve of the recommendation of the Public Works Committee to approve of the solicitor/peddler application from Ohana Shaved Ice to operate on July 30th to July 31st at 603 Minnesota Ave. W.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

9. **M/S Wilkening/Senenfelder** to approve of the Cemetery Board meeting minutes of May 6th, 2021.

Roll Call: Ayes: Senenfelder, Hansen, Moore, Wilkening

Nays:

Motion passed (4-0)

OTHER BUSINESS – Mayor McMurrin

1. Tony Sauer presented a \$200.00 check to the Walker Fire Department as a donation to the on behalf of the Sons of the American Legion.
Administrator Fairchild will pass the check along to the treasurer of the Walker Area Joint Fire Department Board.
2. Eric Loge offered to help the County and City find areas for recycling centers. He informed the Council that the Y-Mart recycling center may be disappearing within the next week.
3. Ron Palmer aired his grievances regarding the trees located in the right-of-way of Cleveland Blvd. that were cut down during the Northside Project. It is the City's policy that nothing should be placed in the right-of-way. The Public Works Committee will further discuss the matter.

ADJOURNMENT – Mayor McMurrin

Acting Mayor Gary Wilkening adjourned the meeting at 6:53 p.m.

Annie McMurrin, Mayor

Attest: _____
Hope Fairchild, Administrator/Clerk-Trs.