

The January 11, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Tony Button, Amy Goplen, and Christine Bjornson. Employees Chris Weinreich and Karrie Roeschlein were present. Meeting began with the Pledge of Allegiance.

CITY GOVERNMENT ANNUAL REORGANIZATION: Motion by Bjornson-Main, second by Button to continue with same commissioner appointments as 2015 for 2016 and designate the following to represent the city as recommended by the Mayor, with addition of insurance agency as they haven't been formally designated through reorganization before. Bjornson-Main, Acting Mayor & Sewer Commissioner; Reichel, Weed Inspector; Weinreich, Assistant Weed Inspector; Button, Street & Sidewalk Commissioner; Goplen, Municipal Buildings Commissioner; and Bjornson, Park Commissioner. First National Bank of Milaca, Isle Branch, Depository; Mille Lacs Messenger, Newspaper; Althoff & Nordquist LLC, Accountant; Kennedy & Graven Chartered and Mille Lacs County (MLC) Attorney's Office, Attorneys; Short Elliot Hendrikson (S.E.H) Inc., Engineers and Zoning Consultants; David Drown Associates Inc., Financial Advisors; and Oberfeld Insurance, Insurance Agency. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Goplen, second by Bjornson to accept consent agenda as written. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) City Hall Closed Mon. 1/18 Martin Luther King Jr. Day

B) 5th Annual Beef Chili Cook Off & Community Input Meeting Sat. 1/23 @ Wahkon Inn

C) League of MN Cities Insurance Trust (LMCIT) 2015 Property/Casualty Dividend Memo: Received \$1,862

D) 2016 IRS Standard Mileage Rate .54 Cents from .575 Cents: New Wahkon Rate

E) Charitable Gambling Report: 11/2015 Mille Lacs Drift Skippers (MLDS) \$413.08: Onamia Area Lions 10/2015 \$23.80 & 11/2015 \$28.09

F) Treasurer's Year End Unaudited Report Ending Balance \$698,085.23

G) Interim Financial Monthly Analysis Reports

H) Disbursement 1/8/16 Register Date Range 12/15/15 – 1/8/16 Total \$189,360.52; Total Less Transfers \$14,549.27

REPORTS: Sewer: Weinreich met with pump contractors to discuss options relative to force main breaks. Discussed different options. Hope to add controllers to adjust main lift station pumps not to pump full force in tandem in order to alleviate pressure on line. No further conversation or correspondence with MN Pollution Control Agency (MPCA) beside initial discussion right after force main break. Engineer Jeff Ledin & Heidi Peper of S.E.H also discussed options with him at separate workshop meeting. City has done all we can at this time until MPCA instructs us otherwise. Also discussed highway drainage to Veterans Park; Ledin will check with MnDOT

Pump isn't functioning properly at lift station 3. Suspect restriction in line and want to televise and jet while flows are low prior to next meeting. Pumper truck not required. Motion by Bjornson-Main, second by Goplen to approve televising & jetting of line to lift station 3 not to exceed \$5,000. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Electric pole at Nicollet, which powers main lift station, was sheared off by a vehicle. Weinreich noticed it Saturday, power is still functioning. East Central Energy will repair it this Wednesday.

Employee, Committee & Councilmember Updates: Roeschlein will use a personal paid leave day on Friday 2/5 to attend an Athenian Dialogue relative to the history of women's vote, provided through Municipal Clerks Finance Officers Assoc. Computer has been causing issues but the other day it froze eight times; believe hard drive is about to go. Computers last about five years' average for us, this one lasted six and a half years. Newer refurbished computer has been ordered along with laptop as ours is very old and won't work well with newer desktop. Bank closed city credit card due to fraudulent charges and will send new ones.

Bjornson: Met with David Morneau who may be interested in making a community garden with bulbs he has. Brother will no longer allow him space. He'd like to know area dimensions of possible locations and asked if there was funding available. Midway Garden Club graciously tends to flowers in town and there isn't funding available. Clerk to send Memorial Policy and official request form. Upon review and approval, council will deem appropriate location if authorized. Need gardens with low maintenance. Weinreich mentioned area by welcome log signs as possibility.

UNFINISHED BUSINESS: Small City Assistance Funds for Street Improvement: Final payment was received from State and previously council requested CD be purchased in order to hold this money for a larger project, possibly 2023 Main Street beatification with MnDOT. Our portion of 2016 MnDOT parking lane resurfacing was budgeted. Interest rates were recently raised slightly and hopefully they'll continue to increase. Motion Button, second by Goplen to purchase a one year CD with .40% annual percentage yield through First National Bank. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Walleye Dundee's Resort & Cafe Encroachment Issue: Acting Mayor Bjornson-Main took over the meeting while Reichel went into the audience to request an encroachment agreement regarding the fact the café and one cabin sit partially within the right of way (ROW) of North Main. They aren't requesting a vacation or changing anything. Agreement would acknowledge encroachments for this owner and future owners along with detailing what can happen in the future should the building need to be replaced. Zoning permits likely weren't required or were issued through county at the time these structures were built. This could be a handy tool for other properties with encroachments. Per city attorney Troy Gilchrist such agreements are common practice for buildings, septic tanks, etc. to alleviate title concerns and the ROW remains in control of the city. Also requesting ability to rebuild with one foot setback as other commercial businesses are allowed to do on Main Street, should the need arise. Non-conforming structure statute allows 180 days to request permit to continue. Motion by Button, second by Bjornson to authorize city attorney to draft encroachment agreement with Walleye Dundee's Resort & Café owners Brad & Sandy Reichel relative to the café and a cabin being partially built within right of way of North Main. Ayes: Bjornson, Goplen, and Button. Abstain: Bjornson-Main and Reichel. Motion carried.

NEW BUSINESS: Mille Lacs Area Health Foundation Donation Request: Council agreed no donation at this time in order to keep Charitable Gambling Fund for parks and senior dining hall rental.

Credit Card Sewer Payment Suggestions: Tom Johnson asked clerk to pass along his suggestions of autopay of sewer bills through credit cards and offering 10% discount for paying annual fee up front. Clerk posed question to other clerks via email. Some cities offer this, while others don't. Some credit card companies charge 3% fee but there are some that don't, such as Government Payment Services,

which Isle uses. Onamia doesn't offer this. City Administrator of Princeton, Mark Karnowski, gave insight via email that cities aren't supposed to make money on utilities; they should be a "zero sum" operation. If you allow discount to one citizen, that discount would be detrimental to the overall budget and would need to be made up elsewhere. Cities may also assess for past due balances, whereas businesses can't and thus offer incentives to pay. Council agreed we are too small of a utility, there isn't enough interest to warrant further investigation into Government Payment Services at this time and most banks allow customers to set up automatic payments themselves.

Open Forum: Clerk received blight complaint after agenda was delivered but wanted council aware of the situation. Property won't be named until they have been officially notified. Letter will be sent promptly and issue will be on next month's agenda.

ADJOURNMENT: Motion by Goplen, second by Bjornson-Main to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 6:40 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The February 8, 2016 Wahkon Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Tony Button, Ronda Bjornson-Main, Amy Goplen, and Christine Bjornson. Employees Chris Weinreich and Karrie Roeschlein were present. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Bjornson-Main, second by Button to approve consent agenda as written with exception of removing item C for further discussion. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) Meeting Minutes: 1/11/16, 12/14/15 & 11/9/15 Council Meetings

B) 5th Annual Chili Cook Off & Community Meeting 1/23/16 Results Memo

D) Mille Lacs County (MLC) Press Release: County Master Park & Trail Plan Listening Session, Tues. 2/16 @ 7 pm

E) Minnesota Pollution Control Agency (MPCA) Public Notice for review of MLC Solid Waste Management Plan, 1/14 – 2/12

F) City Hall Closed 2/15 Presidents' Day

G) LG220 Application for Exempt Permit, Isle Sportsman's Club 3/24/16 Raffle @ Wahkon Inn

H) Charitable Gambling Reports: Mille Lacs Drift Skippers (MLDS) \$1285 to WAVE Volunteers @ Mugg's Meat Raffle; 12/2015 Onamia Lions \$104.90

I) 2015 Report of Outstanding Indebtedness

J) Treasurer's Report Ending Balance \$640,412.64

K) Tax Settlement Report \$6852.98

L) Disbursement Register 2/8/16 Date Range 1/9/16 – 2/8/16 Total \$105,213.38, Total Less CD Purchase/Investment \$94,056.38

C) Application of Tekstar Communications, Inc. for an Amended Certificate of Authority to Provide Facilities-Based & Resold Local Services Notice: Button believes this is second or third letter we've received. What does it exactly mean? When carriers change rates usually increase. Letter has three addresses to send comments or questions but no phone numbers. Doesn't FCC have rules limiting rate increases? Clerk to investigate further. Rural areas need better broadband.

REPORTS: Wastewater: Weinreich: Repair and/or televising of clogged line near lift station #3 didn't occur last month as it couldn't be done as planned. He'll investigate further options. Pump screens won't help as they clog too fast. Make more effort to inform citizens flushable wipes aren't biodegradable, thus shouldn't be flushed as they clog lift station pumps; an industry wide issue costing utilities much in repair and maintenance.

2015 Wastewater Treatment Facility Operational Award Recipient: Award: Council congratulated Weinreich for this award as it is well deserved. He takes pride in his work and our wastewater system.

Complaints: Sheila Haack-Berg & Paul Sand: Sand was present and stated the van has been removed from the property. All lawn mowers are operational according to him. He is working at cleaning up, but winter weather is hindering real progress. He found footprints and believes some pictures were taken from his property; Weinreich was photographer and it won't happen again. No more items can be brought in, there isn't room and technically items are to be stored in a building. Sand stated most recent items were comprised of wood framing that will be used inside and he is recycling. Please be

very aggressive in cleaning up. We don't want to go to court but the issue resurfaces every two years and it isn't fair to neighbors, including the Wahkon Presbyterian Church. Sand will attend monthly meetings keeping council informed of progress. Haack-Berg children, Tim & Heidi, will continue to be notified. Tim emailed plans to visit soon and work on the property as well.

Employee, Committee & Councilmember Updates: Weinreich will be out of town 2/12 through 2/21. Ross Habeck will do snowplowing if needed. He does have obligations to a township as well. Mutual aid with Isle to handle sewer issues. Was going to ask Ed to remove snow from city sidewalks but he can't due to surgery. Businesses will need to take care of it.

Parks: WAVE Committee and Weinreich are planning repair to level City Park pavilion. Will replace rotten wood borders with plastic ones to contain rock under playground equipment; Charitable Gambling Funds to be used. Donated launch dock's decking was alright, but due to public use, Weinreich redid it with cedar. Ready to install in spring. There are big rocks in front of pier that should be identified for boat safety. Can we get permit to remove? Kevin Schultz took out pier last fall and will put it in this spring. Has lighter equipment than Thiele, who no longer wants to do it, which will save on the rock platform it sits on.

Mille Lacs Area Job/Career Fair: Tuesday 4/5 from 1:30 to 6 pm at Holy Cross Center in Onamia. Develop MN Plan 2016: All MN economic development commissions outlined priorities with detailed actions. Plan available at city hall for review.

Button: Chili cook off was light on entrants but very nice. WAVE will discuss concerns about meat raffle volunteering at their next meeting. Several council members volunteer and enjoy working their scheduled monthly Friday at Mugg's and hope it will continue.

Want to begin concrete discussion after Weinreich vacation. We'll need engineering specifications. Will topography be needed to ensure improvement integrity? Hope to use volunteers to break out old Veterans Park sidewalk. May remove grass boulevard area for additional parking. City Engineer Jeff Ledin was to contact MnDOT for additional information; still pending.

UNFINISHED BUSINESS: Walleye Dundee's Resort & Café Encroachment Agreement: Acting Mayor Bjornson took over the meeting; owner Reichel will discuss as a citizen. Clerk verified some items with city attorney: cost is \$320 to draft the agreement and Acting Mayor can sign it as authorized through council motion even as the realtor. Removal of building authority as detailed is normal and protects public interest. Building has been there for many years and don't see need to remove it now or in the future, however, Reichel understands the concept. Non-conforming rule allowing 180 days for owner to obtain permit to replace building where located is state statute authority and ultimate tool for property owners, as such, no need to add future buildings may have 1' setback as granted to Main Street commercial businesses. If or when land use permit is needed to rebuild it could be negotiated.

Reichel questioned if this agreement is a boiler plate that will be used for other situations? If so, should Dundee's bear the cost if it is a city tool? Clerk is fairly certain any agreement would need to be tailored by attorney for specific situation of which legal fees should be passed onto property owner requesting said agreement. Revocation section may be of concern to some, but is normal city agreement language. As this is the slow time of year for resorts and with lake issues affecting overall economy, can the fee be paid at closing time? Bjornson-Main agreed as realtor it would be on her closing list. Clerk asked for a large copy of Dundee's survey for the office, as the small one included in the agreement has important details that is hard to see. Reichel has two large copies and will give one

to City. Motion by Button, second by Bjornson to enter into the encroachment agreement with Sandy & Brad Reichel, owners of Walleye Dundee's Resort & Café as drafted by Attorney Troy Gilchrist. Payment of legal fees of \$320 will be paid to the City at the time of closing and a large survey copy will be provided. Ayes: Bjornson, Goplen, and Button. Abstain: Bjornson-Main and Reichel. Motion carried.

NEW BUSINESS: Clean Up Day 4/30 or 5/14 Opener? Our usual first Saturday of May was booked. Jim's Mille Lacs Disposal is charging \$25 per TV and monitor. Shall that be passed on to citizens? High cost for items with springs too. If we charge, items may end up in ditches. Council agreed 4/30 not fishing opener and to keep clean-up day free as a means to promote a neat community. Request donations as usual but include poster of highest priced items so citizens are aware. There are many items stored between garages at Old School Apartments. Clerk to send letter to owner and to other properties needing reminder of clean-up day.

MN House of Representative Sondra Erickson (15A) Legislative Update & Introduction of House File 2592 Mille Lacs Lake Area Economic Relief Program: Ready for upcoming session authorizing tax relief grants or loans for businesses that can prove loss of revenue and \$800,000 to replace Malone Island Bridge in Isle. "In general, House File 2592 transfers revenue generated by the lieu sales tax on lottery tickets into the general fund. These funds would otherwise go to the natural resources and game and fish funds. This transfer would have the effect of offsetting a general fund expenditure of \$12 million annually for three years to fund an economic relief package for the Lake Mille Lacs area. The counties of Mille Lacs, Crow Wing and Aitkin are included in the package."

Open Forum: Reichel, speaking as Dundee's owner, confirmed with Council they would work with potential new owners on their dreams to improve the resort in order to make Wahkon a great place to visit. Potential buyers may want to build more sites, change out sites from RV to park models, remodel cabins, etc. Weinreich reviewed approved PUD compiled by then city zoning administrator Joan Rehberg (also a resort owner at the time) for CJ's Resort, which is now Dundee's. Annual state license is required to run a resort campground, along with inspections. Council agrees to go by State resort campground licensing rules and regulations.

Button, as WAVE Chair, reiterated hope to place future permanent city dock at end of Veterans Park due to better depth, which would mean the small boat house of Dundee's should be removed. Reichel reminded Council her lease is for three more years and at renewal this should be negotiated. Clerk had Bogart & Pederson do survey sketch of lease areas, including descriptions, for both resorts; cost savings due to their survey work for Dundee's. Dundee's newly described lease area doesn't include boat house area as previous potential buyer was willing to forego that use. Will use these descriptions when leases are renewed to fully describe area as current descriptions are vague and ambiguous.

ADJOURNMENT: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:03 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The March 14, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Tony Button, Amy Goplen, Ronda Bjornson-Main, and Christine Bjornson. Employees Chris Weinreich and Karrie Roeschlein were present. Jeff Ledin and Heidi Peper also attended as representatives of S.E.H, city engineering firm. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Goplen, second by Bjornson to approve consent agenda as written. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

- A) Meeting Minutes Approval: 2/8/16 Council, 9/22/15 & 8/24/15 Special Meetings
- B) WAVE Committee Meeting Minutes: 3/8/16 & 2/9/16: Informational
- C) City Hall Closed Tues. 3/15 Election Training in St Cloud
- D) Mille Lacs County (MLC) Master Park & Trail Plan Interactive Listening Session Mon. 3/21 @ 7 pm, Historic Court House Conf. Room D
- E) MLC Annual Local Weed Management Training Mtg 1 – 3 pm Tues. 3/29 Milaca
- F) Wahkon Clean Up Day 8 – 11 am Sat. 4/30
- G) Midwest Assistance Program (MAP) Source Survey
- H) East Central Energy (ECE) Rights-of-Way Maintenance Notice
- I) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 12/2015 Zero & 1/2016 \$737.72; Onamia Lions 1/2016 Zero
- J) Lions Club of Isle \$1200 Donation to Wahkon Senior Dining
- K) Revised Report of 2015 Outstanding Indebtedness
- L) Summary Budget Statement
- M) Treasurer's Report Ending Balance \$643,538.01
- N) Interim Financial Monthly Analysis Report
- O) Disbursement 3/14 Register, Date Range 2/9 – 3/14, Total \$30,650.45, Less Transfer Total \$15,650.45

REPORTS: Wastewater & Do Not Flush Info: Some cities have filed lawsuit against companies making wipes as they claim they are flushable. Labeling should be changed as almost anything is flushable but it doesn't mean it should be. Wipes don't biodegrade and become tangled in pump impellers causing a lot of time and expense to clear. Clerk will include note on sewer bills.

Zoning: Includes properties with ongoing issues: J&J's Detached Townhomes, Ellis, Diver, and Poshusta. Approved permits: Gary Larson #25-040-0450 @ 165 3rd Street E, 24x14 addition.

Complaints: Haack/Sand blight issue is ongoing due to weather. No one was present. Send reminder letter tent trailer must be licensed and to attend monthly meetings to inform council of progress as Sand agreed to do. Inform Haack's children too.

Wise: Letter was sent regarding their Husky dog running loose. If seen again, call MLC to issue a ticket.

Staricha: He claims two pillars he removed aren't structurally necessary. Clerk contacted him to see if there was anything the city could do to help expedite removal of buildings. Not at this time he said, but plans are to remove all windows and demo in a few months. Bjornson-Main has seen cats in the green house and would allow anyone to trap them upon her property. Clerk has a picture of one.

Street ROW/Private Property Damage Issue: Mille Lacs Band of Ojibwe acknowledged damage done on South Main and Goplen property by new tenants when moving in with U-hauls and will repair it come spring.

Employee, Committee & Councilmember Updates: Council agreed to move this further down the agenda in order to discuss sidewalk and blacktop issues promptly with engineering staff.

UNFINISHED BUSINESS: 2016 Sidewalk Improvements: Jeff Ledin & Heidi Peper of S.E.H were present. City has two sidewalk projects and engineer fee would be \$2000 to ensure proper installation and specifications. Contractors need detailed specifications to ensure work is done correctly. Are we remiss to only replace Veterans Park sidewalk or should we envision more through placemaking analysis? S.E.H has a landscape architect and planner in mind at no cost for initial visit. WAVE Committee hired someone to hand sketch the park in detail for their renovation project. Give to Ledin and he'll make pdf electronic file. Park wall is historical and has citizen support to keep it as is. Professional plan would give guidance and Initiative Foundation (I.F) has grant funds with 50/50 match. Council agreed to proceed. Motion by Button, second by Bjornson-Main to hire S.E.H to draft sidewalk specifications for 1st Street W and Veterans Park for a fee of \$2000. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

NEW BUSINESS: 2016 Blacktopping: Reclamation is better than patching. Lake Shore Blvd reclamation is holding up well. MnDOT Hwy 27 project will begin soon. Requesting professional bids will obtain cost effective quotes based upon engineer specifications. Allow contractor to set work schedule with late fall deadline. Council agreed and workshop meeting will be held if needed.

UNFINISHED BUSINESS: CenterPoint Energy 2015 Grant Award for Public Safety Equipment: Grant of \$1400 was received into General Fund as a 50/50 split to purchase equipment. Full invoice was paid entirely from Charitable Gambling Fund but \$1400 should have been paid from General Fund. Clerk found error when compiling annual Charitable Gambling report. Motion by Bjornson-Main, second by Button to transfer \$1400 from General Fund to Charitable Gambling Fund to correct error regarding CenterPoint Energy 2015 Grant. Ayes: Bjornson, Goplen, Bjornson-Main, Button and Reichel. Motion carried unanimously.

NEW BUSINESS: Mille Lacs & Central Lakes Area Fun Guide Ad: City & WAVE: Ad highlights events and promotes the City. Twelve businesses/organizations sponsored ad in 2015. Motion by Bjornson-Main, second by Bjornson to approve two sponsorships, WAVE and City, for \$89 each. Ayes: Bjornson, Goplen, Bjornson-Main, Button and Reichel. Motion carried unanimously.

MN Rural Water Assoc. (MRWA) Annual Membership: Motion by Button, second by Goplen to renew MRWA membership through option B \$250, donate \$25 to equipment fund and \$10 to scholarship fund. Ayes: Bjornson, Goplen, Bjornson-Main, Button and Reichel. Motion carried unanimously. Donations will be made from Charitable Gambling Fund.

East Central Housing Organization (ECHO) Donation Request: ECHO has identified the need for a regional website listing all housing options, resources and services. Mille Lacs Realty receives daily inquiries for rental properties. Employees of Mille Lacs Health System, (MLHS) need housing per CEO Bill Nelson who is also a member of the Governor's Economic Development Task Force. Motion by Button to donate \$250. Motion died for lack of a second. Motion by Button, second by Goplen to donate \$200 to ECHO through Central Minnesota Housing Partnership, Inc. through Charitable

Gambling Fund. Ayes: Bjornson, Goplen, Bjornson-Main, Button and Reichel. Motion carried unanimously.

Isle FD Fire Service Contract Annual Renewal: Citizens are charged \$300 per fire call and \$150 per hour after first two hours. Button requested copy of annual calls. Annual fee is \$9375.04 with contract period beginning 3/1/2016; can't afford a FD for this fee. City doesn't receive credit for paid fire call fees. Isle is investigating a new fire hall; Council requests annual fees not be increased for it. Motion by Bjornson-Main, second by Bjornson to renew annual fire service contract with Isle FD for \$9375.04. Ayes: Bjornson, Bjornson-Main, Goplen, Button, and Reichel. Motion carried unanimously. Per Goplen, Wahkon ISO rating increased to a 9 and property owners' insurance premiums will increase. Onamia FD is rated higher than Isle due to fact they can carry more water. Water tower needed?

Wahkon Days 2016 Street Closures & Waive Noise Ord: Motion by Goplen, second by Bjornson to authorize all necessary street and alley closures and to waive noise ordinance relative to Wahkon Days 2016 events held August 17 thru 21. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Employee, Committee & Councilmember Updates: Button: Family Pathways Onamia Food Shelf had sent letter to WAVE for donation, which they can't officially approve. It is a non-profit and funds are used to purchase fresh vegetables. Family Pathways Thrift Store profits support food shelf too. Isle also has a food shelf. Twenty people use Onamia's food shelf that have Wahkon addresses. Motion by Button to donate \$250. Motion died for lack of a second. Motion by Button to donate \$150. Motion died for a second. Motion by Button, second by Goplen to donate \$100 to Family Pathways Onamia Food Shelf. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Street Banners: WAVE Committee is purchasing double sided banners with 3 year warranty from TCI Signs. Businesses are sponsoring their \$76 cost. Banner hardware will be purchased by WAVE too. Advertising sign trailer is located at Ellen Ruth Park in order to be lite at night.

Weinreich: Steve Look purchased tax forfeited lots behind Wahkon Inn and has plans to bring in a fish house as RV and is requesting a driveway permit. Council would like his plan on dealing with wastewater without a sewer connection. Hoyt relative has RV without sewer too.

Water Heater: Bids were between \$900 to \$1200. Water heater cost is about \$500. Weinreich will do it himself.

Bjornson witnessed a driver back over a street sign. Deputy Sammis investigated issue this morning and will contact driver to reimburse city employee time to straighten it. No real damage was done.

ADJOURNMENT: Motion by Bjornson-Main, second by Goplen to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:28 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The April 11, 2016 Wahkon City Council meeting was called to order by Acting Mayor Ronda Bjornson-Main at 6:00 pm. Councilmembers present were: Tony Button, Amy Goplen, and Christine Bjornson. Mayor Sandy Reichel was absent. Employees Chris Weinreich and Karrie Roeschlein were present. City Engineer Jeff Ledin of S.E.H. was present. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Button, second by Goplen to approve consent agenda as written. Ayes: Bjornson, Goplen, Button, and Bjornson-Main. Motion carried unanimously.

- A) U.S. Rep. Nolan's Office Town Hall Meeting, Wahkon Comm. Hall, 1 – 2 pm Thurs. 4/21
- B) Wahkon Clean Up Day 8 – 11 am Sat. 4/30
- C) City & WAVE Letters of Support: Mille Lacs County (MLC) 2017 Federal Recreational Trail Program Grant Application: Soo Line Trail
- D) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 2/2016 \$479.27
- E) Savage Communications 3% Franchise Fee Report: \$2,360.37
- F) Treasurer's Report Ending Balance \$635,658.27 Less CD Investment Total \$624,501.27
- G) Interim Financial Monthly Analysis Report
- H) Disbursement 4/11 Register, Date Range 3/18 – 4/11, Total \$25,151.10

REPORTS: Wastewater: Weinreich Force main break in ditch of County Road 17 needs to be dressed up by contractor Ross Habeck.

Zoning: No Report Only Memos: Driveway & Culvert Permit: Steve Look was present. Mille Lacs Soil & Water Conservation District (MLSWCD) approved permit to build pad with class five on corner of the parcel. May sell their travel trailer and get a smaller one. The other skid fish house would be stored there and used for fishing in winter. They'll use a camp bathroom for occasional weekends which would be disposed of properly. Goplen prefers that than a portable toilet sitting behind Wahkon Inn. If we get complaints we'll deal with the issue then. Property was tax forfeited land where concrete and other debris have been disposed of. Contractor will be hired to make driveway. Be careful of settling. Weinreich marked out edge of 2nd Street W. Motion by Button, second by Goplen to approve Steve Look driveway permit with culvert. Ayes: Bjornson, Goplen, Button, and Bjornson-Main. Motion carried unanimously.

640 Broadway St W: John Wilson: Wasn't present but supplied pictures and diagram of his intent to reduce right-of-way (ROW) by 40feet through a future vacation petition for a detached garage. Button worries about plow truck turning around and street safety, furthermore City should improve ROW so citizens are fully aware. Example South Main ROW includes a cul-de-sac that hasn't been constructed that could be used as a turn around. There are other parcels on South Main to be developed.

590 Broadway St W: Linda & Kevin DeRoo weren't present but have questions outlined in a memo as to their possible purchase of the house property of Hidden Bay Resort. Questions regarding how many trailers can the neighboring owner have upon the smaller remaining parcel of Hidden Bay Resort owned by Dave Rose and what is the required setback as they are currently right on the line. Also can a fence be erected between said properties? MN Dept. of Health (MDH) licensed Rose for 7 RV sites. However, MDH renewed resort permit under impression Rose owned all the land, including house property as originally licensed years ago. MDH property setback is 10' and Rose must submit a new planned layout for approval for this smaller parcel. Four or less RV's don't require a Planned Unit Development (PUD). Rose needs all sites to pay the high taxes. Density is an issue. Tabled until property owners are present. Clerk will answer DeRoo's questions and invite all parties to the next meeting.

Complaints: Mille Lacs Band of Ojibwe hasn't been out to repair ruts in South Main ROW due to road restrictions.

Haack/Sand: Paul Sand was present and stated they'll be removing a trailer full soon. Clean-up day is 4/30. Button offered volunteers to help if needed. Council agreed to pay for a \$350 small dumpster to be onsite as part of clean-up day to expedite the process. Sand will let Clerk know.

Staricha Property: Roll off is on site. Goplen spoke to Staricha and once road restrictions are over, plan is to demo buildings and try to save the garage and redo it.

Employee, Committee & Councilmember Updates: Council agreed to move this further down the agenda to accommodate city representatives that travel.

NEW BUSINESS: Property /Casualty Insurance Coverage Renewal: Agent Tom Oberfeld was present and Council agreed to move this issue up on the agenda. His memo outlined several changes including addition of ground pumps at the sewer ponds that weren't covered before. Full premium price won't be known until renewal is approved as written. Goplen is our insurance review councilmember. Motion by Button, second by Bjornson to renew P/C Insurance Coverage with League of MN Cities Insurance Trust (LMCIT) through Oberfeld Insurance Co. Ayes: Bjornson, Button, and Bjornson-Main. Abstain: Goplen. Motion carried.

Work Comp Renewal: Not listed on the agenda but info was included. Motion by Button, second by Bjornson to renew Work Comp insurance with LMCIT for regular premium of \$3736 for annual agreement period beginning 5/3/2016. Ayes: Bjornson, Button, and Bjornson-Main. Abstain: Goplen. Motion carried.

UNFINISHED BUSINESS: 2016 Blacktopping Needs: St: Jeff Ledin was present. Button, Weinreich, Roeschlein and Ledin held a workshop to discuss details and provided council with map of current blacktopping needs. Bids through engineering firm levels playing field, are more competitive and you pay for blacktop by the ton. Reclamation includes grinding up old as base with new on top and 2' wide aggregate shoulders. Assessments were discussed for overall city street improvements. How much can a taxpayer take? Ledin said you'd be surprised how many property owners see the value. Council agreed to cover blacktopping costs this year and table future assessment discussion. New council isn't as traumatized if the decision has been made and planned for accordingly.

City did 650 feet on Lake Shore Blvd in 2014 and nothing in 2015 due to contractor issues. Memo outlines unspent 2015 budgeted street/sidewalk repair & maintenance of \$56,033 and \$41,000 that could be used for 2016 for total of \$97,000. Weinreich will need \$20,000 for miscellaneous overlays leaving \$77,000. If we send it out for a bid and estimate is over, we can cut it back to fit budget. Ledin estimates \$4000 for engineer fees to call and get bids in hand, \$4000 to get through end of the project and up to \$4000 for field person at an hourly rate, total of \$11,000. Motion by Button, second by Goplen to hire S.E.H to prepare and solicit blacktop bids for fee of \$4000. Ayes: Bjornson, Goplen, Button, and Bjornson-Main. Motion carried unanimously. Ledin will follow up with agreement to sign and bids will be ready for the May meeting.

UNFINISHED BUSINESS: 2016 Sidewalk Improvements: Ledin questioned if we are sure that all we want to do is replace the Veterans Park sidewalk? Missed opportunities to deal with overall drainage. MLSWCD could be a financial partner. Council agreed to wait until architect comes back with a proposal. Heidi Peper of S.E.H will look for funding. Sidewalk section on 1st St. W. can be done this year.

MN Design Team: Not on the agenda but Rob Dubbs requested this be brought to council after reading about hiring a landscape architect for “place making” at the Veterans Park. Team is comprised of volunteers from Architect Institute of America – MN Chapter and they help communities plan for the future through public meetings. Their unique city design plan can be used to solicit grant funds. Per Ledin competition is fierce. This would be a city wide plan. Council agreed to focus on planning for the Veterans Park area at this time.

Employee, Committee & Councilmember Updates: Button: City Park pavilion needs repair and WAVE approved \$500 to do the project with volunteer help. Estimated cost of metal is \$448 and Button will weld the plates. Wahkon Civic Assoc. plaque is still there from original installation; WAVE will add plaque underneath. Motion by Goplen, second by Bjornson to authorize up to \$800 for City Park pavilion repairs, with WAVE participation of \$500 and remainder from City Funds. Ayes: Bjornson, Goplen, Button, and Bjornson-Main. Motion carried unanimously.

Ellen Ruth Sign: Park Commissioner approved new sign. EllenRuth is one word on the sign; spelling has been seen both ways. Sign cost was \$75 using lumber left over from Muskie sign.

City Log Welcome Signs: Need maintenance. Sandblast them and replace letters with reflective ones. Get some bids and bring back to Council.

WAVE Prom is upcoming and tickets can be pre-purchased. Someone brought up the fence between Tyson and Ellen Ruth Park as it falling apart. Approximate cost for split rail fence is \$300. Will discuss with WAVE at their next meeting.

Lilac Bush Removal: Need to cut back lilac bush on 3rd St. W to improve alley visibility between 3rd and 4th Streets.

New Used Filing Cabinet: Clerk thanked Council for their support during a family tragedy involving a court trial. File cabinet was sitting outside the court house and MLC agreed to donate it to the City. Weinreich fixed the lock and put it in place.

Email WAVE members about highway clean-up on Thursday @ 3 pm.

Open Forum: Mille Lacs Messenger Brielle will cover Wahkon meetings instead of Shauna Tetrault.

ADJOURNMENT: Motion by Goplen, second by Bjornson to adjourn. Ayes: Bjornson, Goplen, Button, and Bjornson-Main. Motion carried unanimously. Meeting adjourned at 7:55 pm.

Karrie Roeschlein, Clerk/Treasurer

Ronda Bjornson-Main, Acting Mayor

The May 9, 2016 Wahkon Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Christine Bjornson, Amy Goplen, Ronda Bjornson-Main, and Tony Button. Employees present were Chris Weinreich and Karrie Roeschlein. City Engineer Jeff Ledin of S.E.H was present. Meeting began with the Pledge of Allegiance.

Mayor proudly presented Wastewater Operator Chris Weinreich a Certificate of Commendation from MN Pollution Control Agency (MPCA). Wahkon WWTP and facility staff have won 9 certificates of commendation since 1982. "Recognizing exemplary effort expended in the year of 2015 to comply with the MPCA NPDES/SDS Permit Program. Your efforts help protect and preserve the waters of Minnesota." Council thanked him for his work diligence.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Bjornson-Main, second by Goplen to approve consent agenda as written with exception of item B. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) League of MN Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form: City does not waive the monetary limits on municipal tort liability established by MN Statutes.

C) Mille Lacs County (MLC) County Economic Development/Housing & Redevelopment Authority Notification

D) Veterans of Foreign Wars Buddy Poppies Proclamation 5/13 & 14

E) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 3/2016 \$148.12

F) Treasurer's Report Ending Balance \$643,653.52

G) Interim Financial Monthly Analysis Report

H) Disbursement 5/9 Register, Date Range 4/12 – 5/9, Total \$18,019.21

B) City Letter of Support for Border-to-Border Broadband Bills SF 2447 & SF 2448: Button reiterated the need for reliable broadband in rural areas and to continue bringing this to the attention of state legislatures. VA Health Net crashes constantly. Both Frontier and SCI Cable have difficulty with consistent coverage. Reliable broadband is vital for economic development and health care services and were key points of our letter of support.

REPORTS: Wastewater: Weinreich will finish up spring discharge. Pond dyke repair is pending and bank will need to be reseeded. Bring figures next month.

Zoning: Includes properties with ongoing issues: J&J's Detached Townhomes, Ellis, Diver, and Poshusta. Letter to be sent to Poshusta that shed/fish house must meet setbacks by next meeting.

Approved permits: Dean Peterson @ 315 Bennett St remodeled 13'x16' non-conforming shed with an existing 1' side lot setback. If a non-conforming structure burns down they have 90 days to get permit to rebuild in same location. Glen & Brenda Schutte @ 1315 Lake Shore Blvd permit for 42'x73.5' house with attached garage. Neighbors signed approval for drainage issues. Impervious will be at 25%.

Hidden Bay RV Resort: Dave Rose was present and had a letter detailing their history. After an inspection by the Dept. of Health, a letter was sent revoking their RV Resort license for seven sites due to the State not realizing the property originally given the RV license was subdivided. Letter required all but four RVs be removed as State jurisdiction begins with five units. Rose is losing tenants and believes originally they were nine sites and he only wants seven now. He can't pay the lake shore taxes with less than seven units.

Property in question has been a resort for many years through different owners. City approved the subdivision of the original property with one parcel becoming a substandard lot of record, but both parcels continued to be run as one resort. House parcel went into foreclosure, while the substandard lot of record was sold to Rose and continues as an RV resort. City attorney email states “The city does not want to speak to what may or may not be allowed under the Department of Health regulations. It may be the case that once the property is converted to a residential PUD (if it is approved), the Department may no longer regulate it, but I haven’t dug deep enough to confirm that. Until such time as that occurs, the Department is going to continue to regulate it and nothing the city says in the meantime is going to change that. As we discussed from the city’s perspective, the city would currently treat this use as a lawful nonconforming commercial PUD. If the owner proposes to reduce the number of units on the property, but otherwise keep things as they are, then I see no particular permit or permission required from the city (other than a driveway permit). However, if the owners want to convert the property to a residential PUD, then they are going to be required to bring the property into conformance with the current standards since conversion to a different use is not given any protection under the nonconforming status. In other words, I do not agree the city can just let things remain as they are if the owners seek to convert to a residential PUD. In fact, your ordinance specifically requires the city to point out each instance of nonconformity with the shoreland regulations. The city can grant some flexibility to the standards, but that doesn’t necessarily mean allowing what is on the property as is.”

House parcel was sold and new owner put up a temporary fence along the driveway that was used by both parcels. Rose had contractor install driveway upon his property and police were called for trespassing. City requires permit for fencing if erected within 12’ of a plowed surface. Rose believes his driveway constitutes a plowed surface thus requiring a permit. City attorney confirmed plowed surface referenced in the ordinance is for city street right of way, not personal driveways and that a permit isn’t required. Rose will fight the fence. That is between property owners now.

With nonconforming use status it can continue to be a RV commercial resort. If it has more than four RV’s, approval must be obtained from MDH. Residential PUD would likely not allow as many due to requirement that it must adhere to current regulations. Property owner must do all PUD paperwork and city attorney would review it through an escrow. Rose asked for a council motion approving his plan. Mayor stated there isn’t an actual plan to review and approve. However, city would have no choice but to approve a submitted written documented plan that meets ordinance PUD regulations.

Complaints: Haack/Sand Blight: Paul Sand was present: Pop up trailer now has constructed wood walls. Sand needs title to license it. Christine & Dale Bjornson have the title and they need to work it out between them. Can it be licensed with wood walls? Must be operational and licensed or removed. Council agreed it must be removed. Per Sand it will be removed by next meeting. Property has been cleaned up nicely. Keep Sheila’s children informed.

Employee, Committee & Councilmember Updates: Friends of the Soo Line Trail partner with MLDS and MLC to maintain the Soo Line Trail. They no longer use the old sweeper that was stored at MLC garage in Wahkon and will be selling it at an auction. Weinreich may be interested.

Parks: Button welded the brackets and pavilion repair will be completed soon with WAVE volunteers. Suggestion is to add lilacs near the Stone Bridge. There will only be a Memorial Day service annually as less pavers are being ordered and Veterans Day weather is too cold. Building a city dock will be discussed by WAVE. New EllenRuth Park sign is in place and looks great. WAVE prom raised \$800 for park improvements. Thank you everyone!

Roeschlein: MLC Hazardous Waste Collection 6/9. MLC Master Park & Trail Plan public hearing 5/9. City Hall will be closed 5/13. New grandbaby will arrive soon and office may be closed to babysit big brother.

Soo Line Trail: Council agreed with Bjornson-Main suggestion to have speed limit signs when entering Wahkon. Onamia has signage, which we believe is 25 mph. Check with MLDS and if they don't have any, find price for signage. Hopefully that will slow ATV's & snowmobiles down. Swans & Geese: Reichel had to share that a pair of geese were upset with the fake swans in the Park. Walleye Dundee's customer was saving toast for them until the Mayor explained they were fake and are in place to prevent geese from nesting.

UNFINISHED BUSINESS: 2016 Blacktopping Quotes: Jeff Ledin, S.E.H: Wahkon road system is worth 2-3 million. It is an asset that needs maintenance; 5-10% annually isn't out of line. Ledin commends city for the work they've done to protect it. Three reclamation bids were received: Anderson Brothers \$97,598.26, Knife River \$162,386.82 and Tri-City Paving \$87,912.00 for the three designated areas. Wahkon doesn't have an assessment policy, something that could be fully discussed with Ledin over the winter. No blacktopping was done in 2015. Street Commissioner Button recommends we do all three. Weinreich needs overlays too, approximately \$25,000. Council discussed using buffer money for a better deal on this big city project. Motion by Button, second by Goplen to award the 2016 blacktopping bid to Tri-City Paving for \$87,912 and to hire them to do necessary overlays based upon their quoted unit price up to \$25,000. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Contractor can schedule work at their convenience but not during Wahkon Days, with completion this fall.

Construction Administration Agreement: Jeff Ledin, S.E.H quoted fees of \$4,000 for construction administration and on-site resident project representative services at an hourly rate not to exceed \$3,000 to ensure project is done correctly. With the design fee agreement of \$4,000 that was already signed as approved, all engineer fees would not exceed \$11,000. Motion by Button, second by Goplen to approve construction administration agreement with S.E.H not to exceed \$7,000. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Council agreed 2016 Blacktop Project expenditures will be \$88,000 for three specific areas as bid upon, \$25,000 miscellaneous overlays and \$11,000 engineer fees for a total of \$124,000.

Veterans Park Feasibility Study & MN Design Team Info: Wahkon is good candidate to get help now because of the economy and walleye issues. Steve Dubbs emailed MN Design Team Info wherein if selected, a committee of architects help the community plan through visioning sessions and draft plans for city to implement. Volunteers are limited and it usually takes six months of planning for their weekend visit. Council debated whether now is the time for the MN Design Team but decided to table this for now as we have several unfinished projects. WAVE Committee began with a similar process of meetings through Initiative Foundation (I.F) and their Healthy Community Partnership grant.

Heidi Peper has suggested we request a grant from Initiative Foundation, toward the Veterans Park Feasibility Study projected cost of \$10,000 which will encompass North Main Street drainage and replacing sidewalk. WAVE estimated their park renovation would take until 2020; most work is completed with exception of the sidewalk. Mille Lacs Soil & Water Conservation District (MLSWCD) gave us estimates to help alleviate highway drainage and beach erosion, which was tabled at the time due to the high cost. They are a great partnering entity with available funds too. Veterans Park and Lake Mille Lacs is our gem to bring people to town to enjoy our beautiful sunsets, all within walking

distance to downtown businesses and resorts. The new word is “place making” where plans are made for the community as a whole. The two architects that S.E.H brought on site are inspired to make a great plan. Peper will look for grants up to 50% with city match. WAVE may be able to help financially too. Council agreed a master plan would be helpful to work on phases as money is available. Motion by Bjornson, second by Button to authorize Heidi Peper of S.E.H to submit an application on behalf of the City of Wahkon requesting a \$5,000 I.F grant toward the Veterans Park Feasibility Study. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

NEW BUSINESS: Initiative Foundation (I.F) Donation Request: This request was mailed back in 2015 to be discussed at our budget meeting. However, as donations usually come from Charitable Gambling (CG) Fund, which isn’t part of the line by line budget process, it was forgotten until now. Legally I. F. donations can be made from the General Fund. Motion by Button, second by Bjornson-Main to donate \$200 to I.F from CG Fund. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

2015 Financial Statements & Independent Auditor’s Report & Management Letter: Althoff & Nordquist, LLC: Lack of segregation of duties is always a concern for an office with one person doing clerk & treasurer work combined but is usual practice of small cities. City has implemented practices suggested by our auditor by having Mayor initial balanced bank statements and time sheets. Motion by Bjornson-Main, second by Goplen to accept the 2015 Audit as presented. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. No journal entries were required.

Open Forum: Property owners were in the audience but had to leave. Per Weinreich they were here to discuss vacating a portion of Broadway in order to build a garage. Council preliminarily discussed this last month and weren’t in favor of it. One issue that wasn’t discussed is the fact that part of Broadway right of way can’t be used at all due to documented Indian burial mounds. Portion they are requesting be vacated is in the same area. Owner has been informed they can begin the process of requesting a vacation by submitting a signed petition and paying the required fee.

ADJOURNMENT: Motion by Bjornson-Main, second by Goplen to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:40 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The June 13, 2016 Wahkon Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Council members present were Tony Button, Christine Bjornson, Ronda Bjornson-Main and Amy Goplen. Employees Chris Weinreich and Karrie Roeschlein were present. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Goplen, second by Bjornson-Main to approve consent agenda as written. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) Wahkon Area Vision Effusion (WAVE) 6/7 Meeting Minutes

B) Fourth of July Fireworks Mon. 7/4 @ Dusk, Entertainment by Joe Schweich @ 8 pm

C) East Central Energy (ECE) Rights-of-Way (ROW) Maintenance Notice – Clearing to Begin Letter

D) Initiative Foundation Thank You for City Donation

E) LG220 Lawful Gambling Exempt Permit, Mille Lacs Equal Rights Foundation (MERF) 9/21/16 Raffle

F) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 4/2016 Zero

G) LG555 Government Approval or Acknowledgement for use of Gambling Funds, MLDS \$500 Donation to Wahkon Day's Kids Fishing Contest. Thank You!

H) Treasurer's Report Ending Balance \$644,502.51

I) Interim Financial Monthly Analysis Report

J) Disbursement 6/13 Register, Date Range 5/10 – 6/13, Total \$36,051.65

PUBLIC HEARINGS & PETITIONS: Petition for Vacation of a Portion of Lake Shore Blvd & Main Street (Platted Names) aka North Main in the City of Wahkon, County of Mille Lacs, Minnesota: Brad & Sandy Reichel. Petition was received by Clerk on 6/6/2016 along with required fee to vacate part of North Main as two buildings encroach within the ROW and said area has been maintained by the resort for years through several owners. Property survey was completed with lengthy legal description of vacation area at which the widest point would be 25 feet. See resolution below.

ORDINANCES, RESOLUTIONS & POLICIES: Resolution No. 20160613 Setting a Public Hearing on a Vacation Started by a Petition. Motion by Bjornson, second by Goplen to adopt Resolution No. 20160613 setting the vacation public hearing for 6/29 at 6 pm. Ayes: Bjornson, Goplen, Bjornson-Main, and Button. Abstain: Reichel. Motion carried. Motion by Button, second by Goplen to authorize City Attorney Troy Gilchrist to attend vacation public hearing. Ayes: Bjornson, Goplen, Bjornson-Main, and Button. Abstain: Reichel. Motion carried.

REPORTS: Wastewater: Weinreich is striving for one more pond discharge.

Zoning: Unresolved violations are J&J's Detached Townhomes, Ellis, Diver, and Poshusta. Approved permit for Lloyd & Rebecca Carr @ 2415 Lake Shore Blvd for 24'x16' deck.

Poshusta informed clerk he and Turnbull plan to purchase and split Bachman property between them with ability to relocate part of Maple Lane. Turnbull informed Button nothing has been put in writing and it could be 3 – 6 months from now. Poshusta previously informed council his fish house/storage shed would be removed by 6/2015 as it currently doesn't meet setbacks. Clerk to send letter it must be removed promptly or the city attorney may become involved.

Complaints: Haack-Berg: Council agreed another letter should be sent stating again the pop up travel trailer must be removed; send copies to her children as well.

Staricha: Goplen was informed by Staricha that Dwayne Zimpfel wants the gas station part possibly moved to another location. Dumpster has been removed without any demolition of the two dilapidated buildings. Ask Staricha directly what his plans are.

Employee, Committee & Councilmember Updates: Weinreich looked at trees between Sandy Weber and Stacey Bassett that are in the ROW of undeveloped 5th Street E and suggests tree contractor Bjorn Bjornson remove them as they are rotten Popple trees. Per Goplen, an insurance agent, city has liability. Council agreed to hire Bjorn Bjornson to remove them.

Button: WAVE will repair pavilion tomorrow along with Weinreich. Pre-construction meeting with Tri City Paving was held.

UNFINISHED BUSINESS: Clean Up Day Cost: \$4813.83 was our total, more than double over 2015 due to much higher cost to recycle televisions and monitors at \$30 each. City will need to consider charging property owners next year for these as we had 69 for \$2070, the highest invoice line item.

NEW BUSINESS: Walleye Dundee's Resort Interested Buyer Ben Lapinski Memo: Resort Lease Changes & Easement Request: Mayor Reichel and Acting Mayor Bjornson-Main removed themselves from the council table and went into the audience as owner and real estate agent respectively. Remaining council agreed that Button would preside over meeting. Council had Lapinski's two page letter giving his background and desire to purchase Walleye Dundee's. He and his lender have two areas of concern, lot lines and lake access rights. Two of the buildings encroach upon North Main and a petition to vacate was received; see Resolution 20160613 that was adopted above. Memo also included suggested lease changes.

Current five year lease with this resort and Island View to use city owned land, Lake Shore Blvd and Reserve B that Tri State Land Company dedicated by plat to the public. Resorts have used this land since 1920's and there was a lease from 1945 to 1954 for \$5 fee which included larger buildings and docks upon the reserve B land. Currently resorts have a dock and boat house each upon public property. Some citizens questioned the use and through advice from city attorney Council adopted Ordinance 2011-1 allowing resort leases as a commercial entity. In order to make necessary and costly improvements Lapinski is requesting a longer lease and a 40-foot exclusive easement for the launch for as long as the property is uses as a resort and/or commercial property. Easement is to ensure lake access should the lease not be renewed.

City Attorney Kyle Hartnett's memo suggested license instead of easement. Council supports Lapinski but needs to protect the city. Lenders need to protect their investment with a longer lease. Button believes the launch ramp should be relocated due to park improvements. Lapinski would be willing to redraw the line if it is warranted in the future. Ordinance can be amended to allow longer lease which includes revocation if conditions aren't met. Some lenders won't invest in Mille Lacs area due to all the issues and bad press. Reichel as current owner knows none of us here would do anything to hurt businesses, but understands his point as it is very stressful to go through the lease process, which is solely up to the council at that time. If leases aren't renewed both resorts will fold. License can have conditions and be for only the purchaser or future resort owners.

Future city dock issue was discussed as funds are being raised to install one; not sure of location. Want to bring in boats so owners visit businesses. Hartnett is recommending license instead of easement. Ben needs to move forward promptly as closing is scheduled for 7/15.

Appeldoorn's was looking at purchasing Walleye Dundee's and had discussed similar lease concerns with council as any new owner would. Clerk mentioned petition of approximately 50 signatures City received in support of the resorts having a lease when Ordinance 2011-1 was discussed. Bjornson-Main grew up in Wahkon and feels comfortable with how the land is being used as resorts maintain the area and offer a valuable service to the public. There is also City Park public lake access where donations are requested. These two resorts with leases were the only resorts that didn't vacate public property, including reserve land. Motion by Bjornson, second by Goplen to instruct city attorney to draft a 20 year transferrable lease contingent upon property continuing to be commercial and to provide more information about an exclusive lake access license. Ayes: Bjornson, Goplen and Button. Motion carried unanimously.

Button as WAVE Chair explained how highway run off has eroded the Veterans Park sidewalk and Dundee's boat launch. Future plan may include drain tile. Lapinski asked to be kept informed. Reichel and Bjornson-Main came back to the council table.

MN Assoc. of Small Cities (MAOSC) Annual Membership Renewal: This would be our second year as a member. First time ever that small cities received legislature designated money for street improvements. Motion by Bjornson, second by Button to renew MAOSC annual membership for \$212.70. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Launch Dock Installed & Donation Box Issue: Donation box gets lost in all the signs and needs to visually stand out. Council agreed to spend \$100 for a sign informing patrons requested donations are used for park maintenance, also to paint the box a neon color; get approval of Park Commissioner Bjornson. Thank you "Anything Metal" for donating the small dock for boat launching. City installed new dock decking.

New Printer Needed: Incompatible with Windows 10: Windows did an automatic update and the printer copier no longer works. MN Copy Systems doesn't have a program patch as it is too old. Clerk to research options and bring back to July meeting.

Fish House/RV & Other Temporary Structures Discussion: Initiated after Steve Look brought in two fish houses/RV's upon a purchased tax forfeited property without utilities and with wetlands as Clerk couldn't pinpoint restrictions against it within Ordinance 2006-1 and Mille Lacs Soil & Water Conservation District (MLSWCD) diagramed small area that was buildable. Mayor had different interpretation of Ord. 2006-1 and thought there were rules against it.

City attorney Troy Gilchrist was asked to review Ord. 2006-1 relative to: (1) normal camping activities upon undeveloped lots, (2) keeping an RV or fish house all year long on an undeveloped lot without utilities but only used seasonally for sleeping, never to exceed 14 consecutive day rule, (3) keeping an RV all year long on a lot with sewer being used seasonally, and (4) can they have two as there is a fish house storage rule, but that doesn't mention sleeping. His email response: "The ordinance appears to allow all of the situations you described. Section 4.3 excludes trailers, motor homes, and campers from the ordinance unless they are used as permanent living quarters. The ordinance allows them to be used for recreational, camping, or travel use. The ordinance does not limit the time the items can be on a property nor does it require a permanent structure. The ordinance does not define "permanent living quarters". The 14 day definition for a Residential Home in Section 2 would not apply because the units in question are not "structures" under the ordinance. As long as the person using the property has another property that they live in at other times of the year, seasonal use is likely not "permanent living quarters. While Section 7.0 requires a CUP for any use that is not residential, the temporary uses are not residential because they do not meet the definition of a

residential home. The ordinance does not limit the number of trailers, motor homes, and campers that can be placed on a lot. I would argue, however, that if a property owner is renting out the property to allow multiple people to camp, a CUP would be required because the use is no longer a residential use and is likely a home occupation which would not meet the standards required.”

Have received calls from others wanting to do the same along with reasonable concerns of allowing this from residents and businesses. Attorney advised implementing a one year moratorium prohibiting them, allowing time to investigate and draft appropriate regulations. Council has been reviewing a draft zoning ordinance and this section would be one of the final steps. May also investigate possibility of MLC taking over zoning. Motion by Bjornson-Main, second by Goplen to continue this meeting to 5:30 pm on June 29 for the purpose of reviewing and possibly acting on a moratorium ordinance regarding fish houses, RV's and other temporary structures. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Open Forum: Beverly Jost was present to discuss erecting fence upon her surveyed lot line where her daughter Stephanie Williams resides. Tonight they met with MLC Sheriff Deputy due to issues with their neighbor whose house is encroaching over the survey line. Jost went to court and received judgement requiring said neighbor to give notice by letter to do any maintenance that requires them to trespass; City has copies in their property files. Council agreed this is a civil issue, no permit is required for a fence unless erected within 12' of a city owned plowed surface, and they recommend being neighborly to erect the fence so the neighbor can maintain their house. Said house is very old and believed to have been where the town's blacksmith was.

ADJOURNMENT: Motion by Bjornson-Main second by Bjornson to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:15 p.m.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The June 29, 2016 Wahkon Continued Council meeting from the regular monthly meeting of June 13, 2016 was called to order by Mayor Sandy Reichel at 5:30 pm. Councilmembers present were Christine Bjornson, Amy Goplen, Ronda Bjornson-Main, and Tony Button. Employees present Chris Weinreich and Karrie Roeschlein and City Attorney Troy Gilchrist. Meeting began with the Pledge of Allegiance.

Discuss & possible act on a moratorium ordinance regarding fish houses, RV's and other temporary structures: Attorney Gilchrist discussed the ordinance he drafted. Due to increase use of such structures for temporary lodging upon undeveloped property without sewer or water, Council, citizens and businesses have sanitation concerns. Improving tax base is important through development. Moratorium effective for one year, legally can't be any longer, while a study is conducted by Planning Commission, i.e. Council. Study shall be presented no later than three months prior to one year expiration date. Fish house definition from current Zoning Ordinance will be added along with "Wheel houses & similar structures." Where possible include referenced sections so all information is in one document. Section 6 Exceptions (a) allows such structures for lodging purposes on property with a residence; example relative overflow sleeping (b) use within a licensed or permitted campground or RV vehicle park, or state park and (c) used on the ice of a lake or other public water during ice fishing season. Motion by Bjornson-Main, second Button by to adopt ORDINANCE 2016-1 "AN INTERIM ORDINANCE AUTHORIZING A STUDY OF THE USE OF RECREATIONAL VEHICLES FOR LODGING PURPOSES AND IMPOSING A MORATORIUM." Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Motion by Bjornson-Main, second by Goplen to adopt Resolution 2016-0629 "Resolution Authorizing Publication of an Interim Ordinance Authorizing a Study of the Use of Recreational Vehicles for Lodging Purposes and Imposing a Moratorium." Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. This allows publication by title and summary in the case of lengthy ordinance saving publication costs.

Adjournment: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 5:50 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The June 29, 2016 Special meeting of the Wahkon Council was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Amy Goplen, Christine Bjornson, Ronda Bjornson-Main, and Tony Button. Employees present were Chris Weinreich and Karrie Roeschlein. City Attorney Troy Gilchrist was also present. The meeting began with the Pledge of Allegiance.

Statement from Councilmember Amy Goplen: Read aloud as written by city attorney. "Before taking up the issues related to Walleye Dundee's I want to make clear that although I have a cursory interest in the decisions related to Walleye Dundee's, I do not have a conflict of interest in this matter and I am able to make a fair decision regarding the requests." If Dundee's is sold, Mayor Reichel has an offer on Goplen's home. Statement referenced Minnesota Supreme Court's decision in Lenz v. Coon Creek Watershed District. "I am confident that any decision I make will be in the best interests of the City and I will not act arbitrarily to further my own interests in this matter. In addition, my participation is needed in order that the requesting party can receive a decision on their request." Mayor Reichel, owner of Dundee's, and Acting Mayor Bjornson, realtor, have conflict of interests, leaving only three voting councilmembers. *Reichel and Bjornson removed themselves as councilmembers and went into the audience. Button presided over the meeting.*

Public Hearing: Requested Vacation of a Portion of North Main Street: Motion by Goplen, second by Bjornson to close council meeting and open public hearing. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously. Sandy & Brad Reichel, Walleye Dundee's owners, petitioned to vacate 25' of the 100' Main Street right of way that has been maintained by resort owners through the decades and to alleviate encroachment of café/residence and one cabin as evidenced through survey. Ben Lapinski plans to purchase resort contingent upon approval of vacation and lease agreement.

Twenty three audience members were present. Seven written comments received in favor and none opposed. Public comments were received from audience. In answer to Emil Moss' question vacation is for part of the street and not beach area, everything will remain the same with plowing and Island View Resort won't be affected. Midge Robinson spoke for her husband Joe as well, previous resort owners in the area, that they support the vacation. Linda Jacobson, Dundee's RV tenant stated they support Wahkon by spending money at local businesses and Wahkon is their community too. Dale Matte stated nothing will change as this property has been a resort for many years and we should support its improvement. Diane Eckert & Katy Radunz conveyed desire for fish houses to be tidied up. Some are privately owned; resort will clean up the lot where possible and may provide future ice fishing services. Gary McDonald approves the vacation and supports the buyer. Motion by Goplen, second by Bjornson to close public hearing and open council meeting. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously.

Council Discussion without Public Input: City attorney Gilchrist provided council with drafted resolution. Requested vacation area isn't being used by the public right now and likely not needed in the future, structures are in the ROW and ample width remains for the street. After further discussion, item referencing 5' drainage & utility easement as suggested by city engineer will be changed to read "over the western portion of the Street Segment adjacent to the remaining right of way." Motion by Bjornson, second by Goplen to adopt Resolution No. 2016-0629A "Vacating a Portion of North Main Street with changes as noted above. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously.

Walleve Dundee's Resort Lease & License of City Property: Potential buyer Lapinski is requesting 20 year agreement as Beachside Resort with automatic renewal and transferrable. Current Dundee's 5 year lease isn't, which he wants to avoid in the future. Past owners of both resorts in this area have used public property since 1930's. Attorney Gilchrist supplied draft lease and license agreements and ordinance amending Ordinance 2011-1 Regulating Docks on Public Property. Gilchrist explained differences between leases, licenses and easements. Lease is contractual, if you abide by the lease it continues. Hierarchies of such agreements are: license, lease, easement and full ownership. Easements are usually irrevocable but in this instance contingent upon being a resort.

After much discussion, council agreed license isn't needed and to regulate public land use through 20 year lease agreement with Lapinski with ability to automatically renew for another 20 years. Lease can be transferred to new owner for 20 years from date of assignment with automatic renewal for another 20 years. Lease is contingent upon property continuing as a commercial resort. Jet skis won't be prohibited and annual fee will continue at \$500 with 5% increase every five years. Rates for services need not be detailed in the lease but shall be similar to what other docks and boat ramps would charge.

Ordinance No. 2016-2 "Amending the City of Waukon Ordinance Regulating Docks on Public Property": This amends Ordinance 2011-1 allowing 20 year lease, instead of five years. Said changes won't affect current lease with Island View Resort but would be applicable to future leases. Motion by Goplen, second by Bjornson to adopt Ordinance No. 2016-2 as written. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously.

Resolution No. 2016-0629B "Authorizing Publication of an Ordinance Amendment Regarding Docks on Public Property": Motion by Bjornson, second by Goplen to adopt Resolution No. 2016-0629B. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously.

Resort Lease: Attorney Gilchrist confirmed changes to be made to the draft lease, noted above under lease agenda line item. Should lease automatically stop if business closes? Council agreed lease continuation is an economic development tool for selling purposes. Nonpayment of annual fee would revoke lease. Motion by Goplen, second by Bjornson directing City Attorney Gilchrist to finalize the Lease Agreement with Beachside Resort by making the changes as indicated above and authorizing City Clerk Roeschlein and Acting Mayor Bjornson-Main to sign said lease. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously.

Adjournment: Motion by Goplen, second by Bjornson to adjourn. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously. Meeting adjourned at 7:12 pm

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The July 11, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Christine Bjornson, Amy Goplen, Tony Button, and Ronda Bjornson-Main. Employees present were Chris Weinreich and Karrie Roeschlein. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Bjornson-Main, second by Goplen to approve consent agenda as written. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

- A) Minutes: 6/29/2016 Wahkon Continued Council Meeting From 6/13/2016
- B) LG240B Application to Conduct Excluded Bingo, Sacred Heart Church 8/14 Bingo
- C) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 5/2016 \$588.09 & \$500 Fourth of July Celebration
- D) Mille Lacs County (MLC) 7/5 Tax Settlement Report \$124,128.93
- E) Treasurer's Report Ending Balance \$618,523.3
- F) Interim Financial Monthly Analysis Report
- G) Disbursement 7/11 Register, Date Range 6/14 – 7/11, Total \$17,778.80

ORDINANCES, RESOLUTIONS & POLICIES: Resolution No. 2016-0711 “Approving 2016 Election Judges for both the State Primary & General Elections”: Motion by Bjornson-Main, second by Goplen to adopt Resolution No. 2016-0711 approving election judges with an hourly pay of \$9.50. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Resolution No. 2016-0711A “Vacating a Portion of North Main Street”: Reichel and Bjornson-Main removed themselves from council and went into the audience; Button took over the meeting. Ben Lapinski, future owner of Walleye Dundee’s believed the 5’ drainage utility easement discussed at the June 29 meeting was outside the vacated portion. Goplen believed that as well. City attorney Troy Gilchrist at said meeting had verbally corrected his written document to properly describe the easement, which confused some as to what side of the line he was indicating. However, an easement wouldn’t be necessary within the remaining 75’ city right-of-way (ROW). Original intent was for the drainage easement to be the westerly 5’ of the vacated 25’ as per city engineer recommendation. Lapinski requested the minimum width he needs and can’t work with only 20’ as an easement would hinder his use of the 5’. Per survey, resort owners have and continue to mow approximately 15’ beyond the vacated 25’ portion. Button reiterated highway drainage issues to Veterans Park and launch area; future may include drain tile and other improvements. This resolution explains what transpired at 6/29 meeting and that after further discussion the drainage easement isn’t needed. Motion by Bjornson, second by Goplen to adopt Resolution No. 2016-0711A. Ayes: Bjornson, Goplen, and Button. Motion carried unanimously. Reichel and Bjornson-Main returned to their council seats.

Resolution No. 2016-0711B “Declaring a Vacancy to Exist in the Office of City Council” Amy Goplen gave written notice of her resignation as of 7/12 due to moving out of town. Motion by Bjornson-Main, second by Bjornson to adopt Resolution No. 2016-0711B. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Abstain: Goplen. Motion carried. Council expressed their regrets and thanked her for serving Wahkon. This seat has two years remaining and will be part of a special election on the general election ballot.

REPORTS:Wastewater: DeBoer Landscaping Quote: Pond re-stabilization due to erosion has been delayed about one year and must be completed. All American Construction distributed 10 loads of class five that Weinreich brought in. Weinreich contacted three companies but only DeBoer gave a

quote to top dress and seed embankments. Weed control of fence line should also be done. Motion by Bjornson-Main, second by Bjornson to hire DeBoer Landscaping to do work on the holding ponds for \$8500. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Steve Scepaniak asked to connect a RV to sewer. Clerk's neighbor has pop up tent trailer without sewer utilities or portable toilet. There is evidence of toilet paper, feces and diapers upon the property. If there is sewer, yes they should connect and pay usage fees. Letter should be sent to all RV properties insisting they prove ability to deal with sewer for public safety. Scepaniak also has a fish house that looks like a cabin, which he stated is for storage only. New sewer connection fee is \$3804. Previous council allowed renovation of existing building for new hotel rooms not to pay connection fee as they were using an existing lateral. Seasonal winter credit should be investigated again; other utilities don't allow credits for months of non-use. Council agreed Scepaniak can connect RV to their existing sewer without a new connection fee with a sewer permit. Once connected a second usage monthly fee would begin. He must also verify to Weinreich the fish house isn't connected.

Zoning: Derek Poshusta was present to discuss shed/fish house not meeting setbacks. He had informed council it would be removed by 6/1/2015, over a year ago. Per Poshusta, Turnbull is now able to possibly purchase Bahman's property along with Poshusta; both would divide it up making their properties larger. Variance would be required for setbacks to be less than required and not a letter from neighboring property giving permission. Poshusta claims there are several sheds not meeting setbacks and asked why his keeps coming up when no one is officially complaining. It is on the zoning report due to it never being resolved at the onset of his non-conforming building project. To immediately resolve this, it may be moved to Bachman property; permit would be required. Put on next month's agenda.

Complaints (No Official Report): Haack/Sand Tent Trailer Removal: Paul Sand was present. Inoperable and unlicensed tent trailer hasn't been removed yet. They tried to get title but couldn't. It will be gone in couple weeks. Put on next month's agenda.

Jost Cats: Stephanie Jost was present and had vaccination record for one of her three outside cats, two striped tabbies and a calico. Neighbor had pictures of cats defecating in their front garden and stated they spray the house foundation and vegetable garden too. Jost plans include erecting a fence and until then the cats will be relocated to another property. Due to Jost property line being very close to neighbor's house there is a court judgement allowing trespassing for house maintenance through written notice. Jost will obtain the other cats' vaccination records for city files.

Employee, Committee & Councilmember Updates: Button and Weinreich agreed that instead of patching 1st Street E it will be reclaimed, which will last longer and strengthen the base. New culvert will be installed near Tyson. Beulah Ave. will be the only patching area. Cost shouldn't exceed agreed upon budget for blacktopping and ditch work. Weinreich mentioned it is time to investigate a new roof for city hall. Discuss at budget meeting.

WAVE has plans to begin replacing playground borders tomorrow. Bjornson has garnered donation of fifty rods and reels from Cabela's for kids fishing contest during Wahkon Days. It was agreed they can be reused and/or donated. Thanks!

UNFINISHED BUSINESS: Dave & Dar Rose Letter of Appeal for Fence: Rose wasn't present. Two page letter detailing how they've been treated since purchasing part of Hidden Bay Resort and asking that Zoning Ordinance 2006-1 regulations relative to a fence be applied. Fence is being erected by neighbor who purchased house parcel of Hidden Bay Resort, thus hindering Rose' use of the driveway to his RV Park. Direct response was given to Rose before this letter was written stating ordinance requirements aren't applicable due to error of including a fence in structure definition thus requiring structure setbacks. It is common sense that a boundary fence doesn't need to meet these setbacks. Past precedent has been to allow said fences to be erected without a permit and only suggestion is it must be maintained from the owner's property. Council agreed to stand on what our attorney stated.

Ellen Ruth Parking Issue Blocking Business Driveway: Kim & Dave Tyson were present to discuss how people are parking for long periods of time blocking the driveway to boat repair customers. It seems to occur more often since grass was replaced with class five. Area in question is 1st Street E and Ellen Ruth Park. They have a driveway to the back of pole building which houses his boat business and her quilt shop. People assume they can park as there is blacktop parking lanes to the west and driveway isn't fully defined. There is a 5' alley between the park property and Tyson's parcels upon old RR property. Tyson doesn't believe using alley would allow for large boats due to close proximity to house. Council discussed options. Motion by Bjornson, second by Button to purchase two "no parking between signs" and posts to help alleviate blocking of Tyson's business driveway. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Bjornson will investigate location of bike rack as per Tyson is doesn't get used due to distance away from Main Street and theft worries.

New Printer Quote: MN Computer Systems, Inc. (MCSI) loaned City a new copier to try. Should we lease or purchase? Today's technology is moving fast and changes constantly. Purchased new copiers in 2005 and 1995 approximately \$1100 each. Current Toshiba won't print with new computer Microsoft software upgrade nor is a software patch forthcoming due to its age. Motion by Button, second by Bjornson-Main to lease Samsung copier from MCSI for 60 month bundle fee of \$43.18 to include 1000 prints. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. This includes maintenance agreement with additional copy charge of .015 each.

NEW BUSINESS: Wahkon Heritage Garden Walk: David Morneau wasn't present. Council agreed they are all for a lovely garden but worry about maintenance. Current gardens at Veterans Park are being tended by Sharolyn Jacobson. Midway Garden Club originally installed plants but don't have volunteers to do maintenance. Consider different location as there is so much already in the Veterans Park. Maybe neighbors would participate if garden was in the City Park.

Wahkon July 4th Fireworks Dock Damage Reimbursement: Petty Family: No one was present. Sara Nutt provided pictures of several dock sections burned by fireworks, map exhibit, and quotes from Prince Bait. Dock was installed new this spring for \$8464.50 and she wants replacement cost of \$3178.53 along with \$120 for her time in dealing with this and cleaning up beach area and lake after display. According to Premier Pyrotechnics, their insurance doesn't cover display shot area or the required parameter. Boats in the bay too close wouldn't be covered. Everyone assumed it would be covered. Isle Fire Dept. isn't paid to do the display. Co-Chief's David Miller & Tim Schug went onsite tonight and admit they placed multi shot boxes on the dock but can't believe all marks were from those. Hindsight is they should have place boards underneath. Weinreich & Button looked it over too and believe it can be cleaned; melted marks, some with black and orange colored dust. Bjornson-Main was at the Petty land on 7/3 and the marks weren't there. Nutt doesn't want it just cleaned up, she

wants new dock sections from Prince Bait. Council agreed a claim will be submitted through League of MN Cities Insurance Trust (LMCIT); both Isle and Wahkon have insurance coverage through them. Very unfortunate incident. Wahkon appreciates use of their land and will get this cleared up.

License Attorney Fees & New City Attorney Issue: There is confusion as to how Council and staff were under the impression a license would suffice and attorney fees expended to draft one relative to resort lease with Ben Lapinski. Council was corrected by Gilchrist at a meeting thereafter that the levels of authority for agreements are: license, lease, easement and full ownership. Clerk found mention of “license” in a memo from Kyle Hartnett, another attorney in the firm which was read to council prior to drafting necessary documents. Also Lapinski insisted upon a license over the launch area per his lender’s requirement. Clerk wrote email to Gilchrist requesting fee reduction. Response was City should deal solely with Kyle Hartnett instead of two attorneys to alleviate future confusion and City directed license be drafted separate from lease. Everyone now agrees resort lease is only document needed. Previous council had interviewed Gilchrist and decided to hire him as city attorney through request for proposals. Clerk has worked with both attorneys, mostly Hartnett on this issue. Likely Gilchrist has larger clients requiring more attention. Council agreed that as long as clerk is happy working with Hartnett he will be our city attorney.

Upcoming Zoning Ordinance & Enforcement Discussion: Over the past several years, councils have tried to draft three different zoning ordinances. It is becoming apparent zoning isn’t black and white and owners are passionate about improving their property as they see fit. Difficult in a small town to enforce rules & regulations when you know everyone and have limited financial resources. Some citizens believe it is better to ask forgiveness than ask for permission. Today there are much stricter rules especially with floodplain and wetlands. Staffing doesn’t have the time to become educated on all the rules. Few years ago there was tentative discussion between Mayor, Clerk and county zoning administrator about them doing zoning or at minimum to help with enforcement. Button explained how his home wasn’t built properly which required expensive repairs and there needs to be a standard. Council agreed to send a letter to MLC requesting a workshop to discuss zoning options. Would Wahkon need to adopt state building code? Isle, Onamia and Wahkon haven’t, while MLC has and have tried to opt out without success. Weinreich could continue to be the onsite person in order to keep a personal community touch.

ADJOURNMENT: Motion by Goplen, second by Bjornson-Main to adjourn. Ayes: Bjornson, Goplen, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:45 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The August 8, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Christine Bjornson and Tony Button. Employees present were Chris Weinreich and Karrie Roeschlein. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Button, second by Bjornson-Main to approve consent agenda as written. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

- A) Onamia Depot Library Annual Meeting 8/17 @ 7 pm
- B) MN Rural Water Assoc. (MRWA) Host City Thank You
- C) Wahkon July Fourth Thank You Ad
- D) Wahkon Days 2016 Event List
- E) Mille Lacs Soil & Water Conservation Dist. (MLSWCD) Flooding Assistance
- F) Sacred Heart Church Temporary 3.2 On Sale Liquor License for 8/14 Bazaar
- G) Beachside Resort Lease Agreement
- H) Notice of Filing for Wahkon City Offices for General Election
- I) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 6/2016 Zero & WAVE Volunteer Pay @ Meat Raffle \$1145: Button publically thanked volunteers in keeping the meat raffle an on-going viable fund raising effort. WAVE is proud of the weekly teams and their dedication to Wahkon!
- J) Treasurer's Report Ending Balance \$747,621.18
- K) Interim Financial Monthly Analysis Report
- L) Disbursement 8/8 Register, Date Range 7/13 – 8/8, Total \$40,379.31

ORDINANCES, RESOLUTIONS & POLICIES: Resolution No. 2016-0808 “Accepting Donations Toward 2016 July Fourth Celebration”: Names were read aloud. Motion by Bjornson-Main, second by Bjornson to adopt Resolution No. 2016-0808. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

REPORTS: Wastewater: Weinreich: Two manholes were recently rung up. Authorized pond embankment repair was completed by All American Construction. Top dressing and seeding will be done by Deboer Landscaping from Milaca. Phosphorus limits are too high currently; have another month until discharge.

Zoning: Poshusta shed setback issue was to be discussed tonight; no response from Poshusta. Button was informed by Fran Bachman his property is off the market until 9/1 based upon negotiations with Poshusta and Turnbull. Council agreed no permits until this issue is resolved.

Nick Torma, owner of All American Construction inquired whether the rule of primary structure being built first would apply to the empty lots on the corner of Hennepin & 3rd Street E. This parcel was owned by Nate Bassett and he obtained a conditional use permit (CUP). Council agreed the lots are more conducive to commercial application and thus the primary structure first requirement wouldn't be necessary due to the CUP. Torma plans include storage of business equipment for when he works in the area; 90% of items would be inside the building with exception of a pile or two of class five and black dirt. Council agreed that ideally it would be nice to have a fence to hide outside items. Property has a well and any building must be connected to sewer.

Complaints: Haack/Sand: No one was present and pop-up tent trailer hasn't been removed. Daughter Heidi Haack questioned who is responsible as title is still in Dale & Christine Bjornson's name. Per Christine, purchase price wasn't paid in full and she agreed to remove it if authorized by Haack/Sand as they can't trespass. Sand informed Clerk and Heidi Haack he wants the trailer. Council agrees they have cleaned the property significantly but this trailer must be removed. Ongoing maintenance will be required to keep the property looking orderly. Haack's children will be kept informed. Paul Sand arrived later in the meeting and stated trailer sides were folded down and when the property where it will be stored dries up, it will be moved. Put on next month's agenda.

Staricha: Tan building siding section fell away revealing rotten open area at roof line. AC unit dropped down too. Siding was placed back tentatively, but there isn't anything to nail it to. Staricha informed Button he has no plans to remove it due to lack of finances. Two pillars for overhang on green building are still laying in front yard. Staricha has stated they aren't structurally necessary. City hasn't adopted state building code and can't utilize Mille Lacs County (MLC) building inspector. Only recourse is to get legal advice relative to hazardous building statute. Legal fees to bring issue to court and demolition would be expensive and time consuming. Council instructed clerk to send a letter requiring the two buildings be made safe, sound and secure.

Employee, Committee & Councilmember Updates: Weinreich: Most culvert and ditch work has been completed by All American Construction within budget. Blacktopping will be late summer or early fall. Meshigun Avenue work has begun. Culverts were marked by engineer and installed, however there are some concerns. Need everyone on same page; engineer will be involved. North Central Paving will do smaller blacktopping needs. MLDS will pay to blacktop part of Hennepin leading to Soo Line Trail. All American Construction graciously offered to donate their time and material to hydro seed up against newly installed border at playground.

UNFINISHED BUSINESS: City Fireworks Dock Damage Reimbursement: Petty/Nutt: No one was in attendance. League of MN Cities Insurance Trust (LMCIT) denied the claim as we didn't obtain fireworks endorsement. Per LMCIT, their endorsement would have covered damages within display shot area. Tony Ramberg of Premier Pyrotechnics stated their insurance doesn't cover display shot area; City filed claim to validate this, which is pending. Council questioned resale value of cosmetically damaged dock sections. Isle City Council will be informed of the situation at their next meeting as Isle Fire Dept. did the fireworks. Wahkon Council awaits claim decision from Premier and agrees it is all an unfortunate incident.

Veterans Park Feasibility Study & Grant Memo: S.E.H: Heidi Peper informed Clerk the Initiative Foundation (I.F) invited the City to submit \$2,500 grant application instead of requested \$5,000. Study estimated at \$10,000. Council agreed \$5,000 is our max contribution. If we fall short, study could be made smaller and/or other funds found. MLSWCD may be an avenue. Study will plan for all aspects of the area, drainage, landscaping, ADA, sidewalk etc. Council questioned when study would be completed as Veterans Park sidewalk is cracked and needs replacement promptly. Don't want to install new without engineer direction so not to hinder future improvements. Request S.E.H. give study time line and costs specific to phase one, sidewalk replacement for 2017 budget meeting.

NEW BUSINESS: Block 14 Alley Improvements: Abutting property owners Mike & Katy Radunz and Deb Lawler were present. Street Commissioner Button has heard comments the alley is unsafe. It is being used by some cars, but mostly golf carts & 4 wheelers. City substantially improved alley behind

Wahkon Inn. Plan is to make it safer by removing blind corner vegetation, slope alley better for drainage and add class five, approximate 10' wide of 20' right of way (ROW), which was marked out based upon survey stakes. Radunz almost hit a kid driving golf cart too fast. Bjornson-Main stated alleys are narrow passages for owner's access, not thoroughfares; don't want to encourage a lot of traffic. Radunz and Lawler agree with the planned improvement. Motion by Button, second by Bjornson to hire All American Construction to improve Block 14 alley between 2nd and 3rd Streets for \$1500. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Marjorie Hoyt arrived later in the meeting and was informed of the decision which she has no issue with.

Sewer Connection Fee Compared to Other Cities: Andrew Rogers was present requesting a sewer connection fee reduction. Wahkon \$3804, Isle \$650, Onamia \$1500, Emily \$3000 and Lindstrom \$4880. Some cities have waived the fee to promote development. Today the buying power of 1975 original \$1000 fee is \$4480. Bonds were used to enlarge ponds due to sewer moratorium. Financial consultants advised 3% annual increase for usage and connection fees, which was adopted through ordinance. Council held the 2015 rates for 2016 through a motion which occurred once before. Rogers' letter estimated his costs, including blacktopping and current connection fee, to be \$12,500. He upheld his promise when obtaining this property to connect existing building to sewer that was allowed to be built without. Mayor reminded council of interest saved when sewer bonds were refinanced. Don't believe we've had any new connections at the higher rates. Unsure what it was prior to new ordinance requiring 3% annual increase; possibly \$1500? This parcel has extenuating circumstances; sewer line crosses Rogers' property connecting the wood kiln property behind it still owned by Petty. Petty denied Rogers a connection so he needed to cross South Main to sewer main. Weinreich has discussed this with MN Rural Water Assoc. (MRWA) and they believe kiln lateral is actually owned by the city with ability of others to connect. Clerk believes that due to all costs being assessed to Petty for its installation it belongs to him. Reichel suggested waiving the fee due to the circumstances. Council debated the issue. Motion by Button, second by Bjornson-Main to set sewer equivalent connection fee for all new connections at \$1500 without annual increase. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

City Entrance Log Signs Replacement: Signs are 16 years old with south sign being worse for wear than the other. Button obtained one quote, which won't be made public as others will likely be solicited. Estimate is \$8000 to \$12,000 to make a sign out of actual log walls; Wahkon Welcomes You with open area to slide in sign "summer" "fall" "Wahkon Days" etc. New signs should include roof to protect wood from rot. WAVE has some money to help. Current signs may last a couple more years but we need to begin planning. Investigate less expensive round machined logs. Add issue to budget meeting.

City Hall Pine Tree Removal & Install Flag Pole: WAVE: Electric company contracted their ROW clearing and branches were removed. When siren was installed years ago many limbs were removed and it is looking scraggly. WAVE approved \$1200 for 25' flag pole to replace it. Siren would reach out further if removed. Council agreed to obtain tree removal bids for September meeting. Motion by Bjornson-Main, second Bjornson authorizing WAVE to purchase city hall flag pole for \$1200. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. There is bulletin board inside entryway to post notices but it isn't as visible as taping them to the glass screen door. Need standalone enclosed bulletin board at city hall, possibly under the flag pole. One at Ellen Ruth Park leaks and needs replacement.

Mille Lacs Equal Rights Foundation (MERF) 7/21 Letter to Mille Lacs County Re: Mutual Aid: Agreement with Mille Lacs Band & Reservation Background Information: “We, the members of the Mille Lacs Equal Rights Foundation, wish to thank you, for your principled and courageous action in withdrawing from the mutual aid agreement with the Mille Lacs Band. For many years the status of the former Mille Lacs Reservation has detracted from harmonious cooperation in our county. We would support a new mutual aid agreement between the county and the Mille Lacs Band but only if the jurisdiction of the band extends no farther than trust lands. As the attached history, which was gathered from and is supported by archival records clearly shows, the 1855 Mille Lacs Indian Reservation ceased to exist long ago. Attempts to re-establish it are unconstitutional and must be objected to.” Mayor Reichel thanked MERF and MLC for clearly stating the 61,000 acre reservation no longer exist. In some states, tribes are trying to tax certain businesses they claim are within reservations; taxation without representation. Mille Lacs Band, Google maps, Federal Census and other departments depict it as existing and don’t recognize the 1913 U.S. Supreme Court decision that it was relinquished. MERF information is a great synopsis to give people that want to know more. MERF President Clare Fitz self-published a book that will be available soon detailing the history. Public safety is important but we must stand and say Wahkon isn’t part of the reservation.

Set Budget Meeting Date & Time: Tuesday 9/20 at 8:00 am. Deadline to set levy with Mille Lacs County is 9/30.

City Annual Audits 2017 – 2019: Clerk obtained quote from current accounting firm and shared it with council but it shouldn’t be made public if additional quotes will be requested. Previous three year cycle 2014-2016 had \$100 annual increase and this cycle it is \$200. Price for 2017 & 2018 are comparable to 2011 quotes from two other firms. Motion by Bjornson-Main, second by Bjornson to contract with Althoff & Nordquist LLC for 2017 – 2019 annual audits for fee of \$4900, \$5100 & \$5300 respectively. Ayes: Bjornson, Bjornson-Main, Button, and Reichel Motion carried unanimously.

ADJOURNMENT: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:21 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The September 12, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Christine Bjornson, Tony Button, and Ronda Bjornson-Main. Employees present were Chris Weinreich, Karrie Roeschlein and City Engineer Jeff Ledin from S.E.H. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Button, second by Bjornson-Main to remove item J and approve the rest as written. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) Minutes: 8/8/16, 7/11/16, 4/11/16 & 3/14/16 Council Meetings

B) MN Dept. of Transportation (MnDOT) Hwy 27 Lane Closure Notice

C) Mille Lacs County (MLC) Waste Tire Collection 9/15 @ North Maintenance Facility in Wahkon, 2:30-6:30 pm

D) GPS::45::93 Annual Meeting 9/19 Pine Technical & Community College Auditorium

E) Special Budget Meeting Tuesday 9/20 @ 8 am

F) League of MN Cities (LMC) Annual Dues \$396 Commencing 9/1/16

G) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 6/2016 \$775.21

H) Treasurer's Report Ending Balance \$711,514.62

I) Interim Financial Monthly Analysis Report

J) Disbursement 9/9 Register, Date Range 8/12 – 9/12, Total \$58,595.60: Weinreich explained why there was an additional \$500 in class five on All American Construction invoice for the alley work that was quoted at \$1500. This was for two loads of class five, one for right of way (ROW) on 1st St W and the other will be reimbursed by Katrina Chang Murphy for \$250. Motion by Button, second by Bjornson-Main to approve disbursement 9/9 register for \$58,595.60. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

REPORTS: Wastewater: Weinreich is doing what he can to get ponds into compliance but will need to apply alum, which has been budgeted. Other systems throughout the state are having issues. He applied hydrothol liquid to control algae blooms, which are caused by all the rain and humidity.

Zoning: Properties with ongoing issues: J&J's Detached Townhomes, Ellis, and Diver. Derek Poshusta issue has been resolved; shed was moved with a permit to Bachman property and meets setbacks. Approved permits: Jon & Peggy Berczyk @ 2215 Lake Shore Blvd 16'x20' addition with 17'x25' patio; and Brad Payne @ 2210 Lake Shore Blvd to replace existing garage 12'x36' lean-to and enclose.

Hidden Bay RV Resort "Rose" Property: Neal Goergen: Owner Dave Rose was present and has his property up for sale. Clerk 8/30 letter to Goergen, potential buyer, outlined the property and its issues. City Attorney Kyle Hartnett was contacted for confirmation of the non-conforming use status as an RV resort and the newly enacted moratorium restricting RV/fish houses. Clerk read Hartnett's email and it was given to Rose at the meeting; "As we discussed, the Rose property is limited in its use to the existing allowed non-conforming use which allows the owner to operate a rental RV park. Anyone that purchases the property would be allowed to continue that use. Any use different, RV related use other than the rental RV park would not be allowed at this point due to the moratorium that prohibits any RV use in the City at this time. The other type of RV use that may be allowed in the future would depend on the types of regulations the city imposes with the revised ordinance. The moratorium, however, does allow the possibility of a variance from its requirements. If a new owner would want to use the property in a similar manner but not as a business entity, the City may consider a variance from the moratorium that would allow the less impactful use."

After an onsite inspection MN Dept. of Health (MDH) revoked his RV license due to the property being subdivided from original full resort property. He was instructed to remove all but four RVs as state jurisdiction begins with five. To have more than four, Rose must meet specific state requirements. Through his city non-conforming use he can continue with what was on the property at time of the subdivision, up to seven RVs contingent upon necessary state requirements. Rose wants clarification to pass along to buyers. About a block away, the property previously owned by Dave Emon received a conditional use permit (CUP) for up to four RV's for family use. Said property, abutting vacated Nicollet Ave, was also previously part of the original Hidden Bay Resort, and recently sold. New owner buried one sewer connection and has 3 RVs connected. There is an ice castle fish house, not connected, for possible seasonal overnight sleeping of family. People have seen more than four on weekends.

Moratorium hinders the issue too. Per city attorney it can stay an RV park if taxed as commercial through continuation of his non-conforming use upon a substandard lot of record. State requirements must be met if licensed. If it becomes residential, non-conforming use is null & void. Council will support a plan that meets MDH approval. Rose questioned possibility of senior housing. It would depend upon the plan; if everything meets our rules and regulations we can't turn it down.

MLC & City Zoning: City sent formal letter requesting zoning assistance from MLC. Per Pat Oman, MLC Administrator, they can't consider taking on any new responsibilities at this time. They may revisit the issue later in 2017. LMC wants all cities to update their MN Basic Code of Ordinances (MBC) as there are new statutes and others have changed. Funds were budgeted for this purchase but not yet made. A smaller version is now available for cities under 500, the Livable City Code (LCC) and a copy was sent for review. City has been working on a new zoning ordinance and planned to do this next. Get LCC to councilmembers at their special meeting on 9/20 so they can review it prior to October's council meeting. RV/Fish house section of updated zoning ordinance draft will be discussed too. Ledin knows of two communities that contract with their counties that we can contact on how best to proceed with a county partnership. Clerk will check with Isle & Onamia.

Complaints: Letter was just mailed to Jim Staricha to make both buildings "safe, sound and secure." LCC has house maintenance section. Send reminder letter to Sheila Haack & Paul Sand that travel trailer must be removed. Weather hindered this due to saturated soils.

Employee, Committee & Councilmember Updates: Weinreich: He'll fill ruts on private property where people drove around alley barricades during Wahkon Days. Council agreed to order black dirt delivered for \$255. Free fill is being used on 3rd Street W which should help keep groomed snowmobile trail off vehicular portion of the street. WAVE will purchase cement culverts for trails between 3rd and 4th Streets W. WAVE wants to begin clearing trails for walking, biking and cross country skiing.

UNFINISHED BUSINESS: One Way & No Parking on City Hall Alley: Ronda Bjornson-Main: Clerk misunderstood as only "no parking" was to be discussed. Bjornson-Main consistently has Morning Star Market (MSM) customers parked off the alley onto her corner property. Lori Niesen, owner of MSM, was present. Tar was extended fully across the alley as a means to protect her property. Clerk took picture of someone parked perpendicular to the alley in order to plug in his computer to the power pole with the rear end on the grass. Should "no parking" signs be installed as parking is prohibited on alleys? Alleys are small passage ways for property owners and not thorough ways. This alley abuts a commercial property, City Hall's main entrance is from this alley and the post office now has their

mail box there. Plowing would be hindered with signage. Should property owner erect “private property” signage? Alley appears to be part of MSM parking lot. Customers try to park out of the way of the gas pumps. Large trucks with boats and/or trailers park there to run into the store. Niesen wants to attract customers and suggests everyone be neighborly. Bjornson-Main is trying to protect her property. After much discussion, Council decided with city engineer approval, to obtain quotes for a blacktop curb that can be painted yellow to identify “no parking” to drivers. Bjornson-Main wants to add a dirt berm to her side with plantings. Bring quotes to next meeting.

1st Street W Sidewalk Replacement: S.E.H: Council agreed to move this item up on the agenda as City Engineer Ledin of S.E.H was present. This sidewalk and the one at Veterans Park were part of the \$2,000 S.E.H agreement. Vets Park sidewalk is on hold until a feasibility study of the area can be done pending grant funding. S.E.H agreement would be revised down to \$1000 to get basic MnDOT specifications for Weinreich to give to contractors for 1st Street W sidewalk replacement. Drainage may be a concern. Sheila Haack’s driveway is class five and council agreed to blacktop the portion abutting the sidewalk to protect it.

2016 Blacktopping: Not on the agenda but an update with city engineer present. Weinreich and Button agreed not to do overlay patches on 1st Street E but rather a full reclamation that connects to Meshigun Ave. Drainage is a concern between 1st Street and MSM pumps. Ledin suggested a cement drainage gutter from Hwy to the east side of the alley for approximately \$6000. Contractor could do it promptly in order not to delay blacktop. Button agreed not to do the end of Lake Shore Blvd as originally planned as a cul-de-sac may be better suited in the future. Motion by Button, second by Bjornson to approve \$7,000 for a cement drainage gutter upon 1st Street E. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

No Parking Signs & Drainage Issues on 1st St. E & Soo Line Trail: Kim Tyson: Tyson wasn’t present but wanted to know if the “no parking between signs” that were recently installed keeping her driveway accessible, will be removed over the winter? Per Weinreich he needs to remove them in order to plow snow. Council wasn’t aware they would be removed. Tyson wants them up year round for Dave’s business. Council directed Weinreich to figure out a way to keep the signs up year round. Trim vegetation upon ROW if necessary to provide areas for snow. All businesses plowing snow in the area need to have a plan.

Old culvert under 1st Street E was replaced that drains from Bjornson-Main corner property to Soo Line Trail. With all the rains, Bjornson-Main’s apples crossed Tyson’s property to the old RR ditch. Culvert was set before reclamation and the ditches will be re-sloped in 2017. MnDOT Hwy 27 resurfacing project includes replacing culverts but none will be replaced that touch wetlands as they didn’t have time or funding to go through necessary paper work to get them approved.

City Fireworks Dock Damage Reimbursement: Petty/Nutt: Premier Pyrotechnics Inc. has agreed to pay for the dock sections that were damaged by Wahkon’s 7/4 fireworks display conducted by the Isle Fire Dept. Co-Chief Tim Schug & David Miller cleaned the dock sections hoping that would suffice, but owner wants new sections. City obtained insurance through Premier and it doesn’t cover the display shot area. City purchased the dock sections as requested from Prince Bait & Marine. Premier sent a check to reimburse the city and Miller Trucking picked them up. Isle FD will install them soon. Last detail is to have Sara Nutt sign off that damage was rectified and Premier will mail her a \$120 check for mileage.

City Hall Pine Tree Removal & Install Flag Pole: Old pine tree must be removed. Three quotes were obtained: Rocky's Tree Service \$650, T's Tree Service \$1000 and Trees by Bjorn \$1000. If references are good for Rocky's go with them. Motion by Button, second by Bjornson to spend up to \$1,000 to remove the Pine tree at city hall. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

WAVE authorized purchase of flag pole for city hall. Today's price of \$1941 has more than doubled from vendor we used for Veterans Park pole in 2012 and doesn't include shipping. Button researched other vendors and found one for \$1194 including shipping. Motion by Bjornson-Main, second by Bjornson to authorize WAVE to purchase a 25' flag pole for the City Hall through American Flagpole & Flag Co. for \$1194. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

ADJOURNMENT: Motion by Bjornson, second by Bjornson-Main to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:58 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The September 20, 2016 special meeting of the Wahkon City Council was called to order by Mayor Sandy Reichel at 8:00 am. Councilmembers present were Tony Button, Christine Bjornson, and Ronda Bjornson-Main. Employees present were Karrie Roeschlein and Chris Weinreich. Meeting began with the Pledge of Allegiance.

RESOLUTION NO. 2016-0920 "SETTING A PUBLIC HEARING ON A PETITION REQUESTING THE VACATION OF A PORTION OF SEVENTH STREET": Motion by Button, second by Bjornson-Main to adopt Resolution No. 2016-0920. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Public hearing is set for December 12 as part of the regular monthly council meeting. Department of Natural Resources (DNR) must be notified at least 60 days in advance due to the street accessing Lake Mille Lacs. Council agreed city attorney should attend.

REVIEW GENERAL & SEWER 2017 BUDGETS: Clerk provided details of General Fund balance and how approximately 50% of the tax levy should be available for expense payments until first tax levy payment is received in July. With this analysis using last year's levy, 50% calculates to \$117,675 leaving approximately \$140,000 as additional buffer and/or savings. Council agreed with Mayor that if at all possible the levy should remain the same as Mille Lacs County (MLC) will likely need to increase county taxes due to law enforcement revocation with Mille Lacs Band of Ojibwe requiring more officers, fee to trust land issues and other additional expenses relative to services provided to band members and children without compensation. Council debated possible future assessment process for street and sidewalk projects. It is a big hit to the budget when paid solely with tax levy funds but streets and sidewalks are used by all. Paper streets should be at minimum cleared of trees and mowed to illicit future development. If people can see where the road actually is they can make plans to build.

Council reviewed both budgets thoroughly and made one change to proposed General Budget; General Fund (100) Streets (43100) Tools, Parts & Equipment (240) was increased from \$400 to \$600. No changes were made to Sewer Budget. Sewer rates were held by Council at 2015 rates for 2016 even though ordinance requires annual 3% increase. 2017 sewer rates will be increased by 3% costing a residence approximately \$1 per month or \$12.12 annually. Motion by Button, second by Bjornson-Main to adopt 2017 General Budget with receipts of \$263,296 and disbursements of \$287,135 and 2017 Sewer Budget with receipts of \$221,400 and disbursements of \$148,250. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Budget figures are estimates; leaving a projected difference of (\$23,839) for the General Budget indicates council agrees to expend if necessary and to use buffer money instead of increasing taxes. Projected difference of \$73,150 in Sewer Budget will be transferred to apply toward \$87,273 bond payment; remainder will be paid with Emergency/Improvement Funds.

Sewer Budget included \$4000 to be set aside to begin saving for a new John Deere mower that can hold the banks out at the sewer ponds, approximate cost of \$10 - \$12,000. Current mower is 21 years old. Council directed Weinreich to get lease and purchase figures by next council meeting for a "Toolcat" that could be used instead of repairing the 40 year old tractor or purchasing a new lawn mower. Tractor leaks oil badly and needs new tires. Toolcat could be used safely for many purposes and tractor could be sold as is.

Oberfeld Insurance researched several companies for 2017 employee health insurance. To continue with Blue Cross Blue Shield through Resource Training & Solutions (RTS), a pool of county, city and school districts, rates will increase 19%, from \$489.50 per employee to \$582.50. Medica, Health Partners, Blue Cross Blue Shield not through a pool, and Public Employees Insurance Pool (PEIP) all had higher rates than RTS. City has had insurance through RTS since 7/1/2012 inception

and prior rate increases were 2%, (5%), (3%) and 19%. New rate compared to initial premium is 11.9% higher and over the 5.5 years that calculates to 2.164% annual increase. Motion by Bjornson-Main, second by Bjornson to renew Blue Cross Blue Shield employee health insurance through RTS for 2017. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

RESOLUTION NO. 2016-0920A “APPROVING FINAL 2016 TAX LEVY COLLECTIBLE IN 2017” Motion by Button, second by Bjornson to adopt Resolution No. 2016-0920A setting the tax levy at \$235,351. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. 2016 tax levy is the same as last year.

ADJOURNMENT: Motion by Bjornson, second by Bjornson-Main to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 10:19 am.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The October 10, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Tony Button, and Christine Bjornson. Employees present were Chris Weinreich and Karrie Roeschlein. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Bjornson-Main, second by Button to approve consent agenda as written. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

A) Minutes: 9/20/16 Special Meeting & 9/12/16 Council Meeting

B) Approved LG240B Bingo Ap: Sacred Heart Church

C) Economic Relief Package Information

D) 2017 Liquor License Renewals: BC Niesen Inc. dba Morning Star Market and Morning Star Wine & Spirits; South Shore Hospitality LLC dba Mugg's of Mille Lacs; Spirit Lake Pub & Patio LLC; Wahkon Inn Bar & Restaurant LLC

E) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 8/2016 \$1319.15

F) Treasurer's Report Ending Balance \$692,809.31

G) Interim Financial Monthly Analysis Report

H) Disbursement 10/10 Register, Date Range 9/13 – 10/10, Total \$31,396.75

REPORTS: Wastewater: Weinreich: Nice to have extra pond for winter storage. Alum treatment should last until next fall. Pond bank and fence line look good.

Zoning: Unresolved violations: J&J's Detached Townhomes, Ellis, & Diver. Lloyd Carr @ 2415 Lake Shore Blvd had steps to front door with roof overhang, which he fully enclosed with walls and windows, extended the overhang and added steps without a permit. Carr was sent an email stating an application was required along with penalty permit fee of five times, total of \$375. He believes permit wasn't required as footprint wasn't increased and is willing to regular \$75 fee. No permit application or any fee has been received. Zoning Ordinance 2006-1 "No person, firm or corporation shall construct or structurally alter or move in any structure without an approved permit through application to Wahkon's Zoning Administrator." Prior to this he pulled deck permit after call from Weinreich, who was notified through Gopher One Locates. He originally stated he was only replacing an existing deck; however, City was informed the deck was removed about two years ago by previous owner. Council agreed penalty fee of five times is applicable. Clerk will send letter that a zoning application is required along with the \$375 penalty fee and that no future permits will be allowed until resolved.

Hidden Bay RV Resort "Rose" Property: Dave Rose, Kevin & Linda DeRoo were present. There is a landlocked alley within this block that has been used by resorts as sites. Portion was previously vacated as the house now owned by DeRoo was built upon it. The two access streets of Nicollet & Beulah have since been fully vacated land-locking the alley to the general public. MN Dept. of Health (MDH) is working with Rose to reinstate his RV camping license for seven sites. Old survey done for Leach indicates some ingress and egress easements, but nothing has been recorded per title companies. Neighbor DeRoo wants everything done according to MDH, DNR, and floodplain regulations. Council agreed vacating the landlocked alley would clean up things for abutting property owners. Motion by Bjornson, second by Bjornson-Main authorizing the City to initiate the process to vacate the alley within Block 3, Plat of Pottstown. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

MDH email to City regarding Hidden Bay RV Resort: “The plans appear to be in general compliance with the standards of this department and have been approved.” They listed seven items, #6 requiring site configuration inspection be completed by MDH prior to opening. Motion by Button, second by Bjornson-Main approving the Rose RV Park plans submitted to MDH by Dave Rose for seven units. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Complaints: Jim Staricha buildings on North Main have broken windows and awning pillars are on the ground. Nothing has been done to repair windows and/or to begin demolition. Only recourse is to go to court, of which legal fees could be reimbursed through court order. Public safety may become a concern requiring legal action. Tabled for now.

Employee, Committee & Councilmember Updates: Streets: Weinreich along with Button met with engineer regarding punch list for street blacktop project. See Tri-City Paving payment request agenda line item below. Ditch work and shoulders need compaction of class five.

Parks & Trails: Approximately 20 yards needed to widen Soo Line Trail city entrance shoulder making it safer at \$65/hour, about 5 hours of work by All American Construction. Will work with MLC to ensure culvert is open. Soo Line Trail is maintained by several entities. 1st Street E ends at the old RR right of way (ROW); MLC is aware and should acknowledge this through future formal agreement. Cement culverts purchased by WAVE will be placed in low areas on Chippewa Trail with a clam truck \$80/hour. Marked trees will be removed by contractor doing clearing and grubbing for electric utility lines likely in the winter. ROW clearing on 3rd Street W and alley really look good. Pier will be removed soon. City hall pine tree removed; emergency siren is heard further now.

Roeschlein: Building Community/Empowering Families Northern MLC conversation on 10/18. Button and Roeschlein are on the committee representing Wahkon. Senior housing summit 10/27. General Election 11/8: ballot includes constitutional amendment, 40 cities are without a mayor candidate. Thank you official candidates and those considering being write-ins as we can't have an election without you. Thank you current and past councilmembers for their personal sacrifices and unselfish efforts through their dedicated service to our community. We can't govern without you. Bezanson family will set a date for onsite review of requested vacation area upon 7th St E; weekday works better.

Button: WAVE purchased city hall flag pole. Sonatube is needed and volunteers will erect. Chili Cook Off and Prom dates are tentatively set, awaiting hall confirmation from Wahkon Inn.

Bjornson-Main thanked clerk for acknowledging councilmembers and candidates. Originally decided not to re-run but because she loves her city she has decided to be a write in candidate for the two year seat.

UNFINISHED BUSINESS: Heritage Walking Garden: David Morneau was present: This topic has been briefly discussed in the past but without Morneau present. His idea is to develop a walking heritage garden in the city his granddad founded. City has Park, Trails and Recreation Donation and Memorial Policy, which was recently provided to him. Need a formal plan to approve, ultimately with minimum maintenance. Morneau prefers designing around a piece of property. Walking garden needs large area, which we don't currently have. Tax forfeited land or unused street ROWs? Morneau will take field trip with Weinreich for future planning purposes and will solicit help from family members. Council thanked him for his interest and reiterated approval from council is required and policy must be followed.

City Fireworks Dock Damage: Sara Petty has signed off that everything has been resolved. Premier Pyrotechnics replaced cosmetically damaged but structurally sound dock sections at their cost, which they'll try to sell. Isle Fire Department Co-Chiefs Tim Schug and David Miller installed them. This was an unfortunate incident. Thank you everyone and we appreciate all that Isle FD does for Wahkon.

Tri City Paving 2016 Street Project Payment Request: Few patches were cut to replace inadequate blacktop requiring review in the spring to ensure seams are tight. Payment was reduced by \$15,510 pending work acceptance along with 5% for retainage \$3,759.43 for \$71,429.07 requested payment. Motion by Button, second by Bjornson to approve \$71,429.07 payment to Tri-City Paving. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

NEW BUSINESS: Mugg's Oktoberfest Tent Stake Holes Upon 1st St E: Contractor filled holes with sand and used black jack crack sealer. Street Commissioner Button seen that some sealer is missing, likely pulled up by a tire. Need holes filled correctly for blacktop integrity. Button and Weinreich will meet with owner Rob Dubbs to discuss. Previous year tent vendor used sand bags. Holes will be spray painted and reviewed in the spring.

Street Closing Policy/Ap Samples: Council reviewed sample street closing policies and forms from Beaver Creek and Wabasso. Clerk to incorporate parts of both and bring back to council.

League of MN Cities (LMC) Livable City Code (LCC) Discussion: Due to cost to make copies of the LCC, Council took turns reviewing the one hard copy on loan from American Legal Publishing. Overall opinion is that it doesn't fit Wahkon and if adopted too many sections wouldn't be enforced, example snowmobiles in town after 10 pm. LCC is to be adopted as-is without any changes. Clerk to return LCC as Wahkon will not purchase it. Wahkon has MN Basic Code (MBC), which was adopted years ago with several omissions. LMC strongly suggests cities adopt current MBC due to statute and other changes in order to ensure enforceability. County can't partner with Wahkon at this time to assist with zoning, but possibly in the future. Council agreed special meetings are warranted to finish drafting fish house section of proposed zoning ordinance; Clerk to post proper notice for 10/24 special meeting at 6 pm. Button suggested Council brainstorm for long range 2-4 year city plan. Council will finish zoning and possibly discuss setting agreed upon annual goals.

2017 Small City Development Grant: MLC identified Isle & Wahkon and will work with Central MN Housing Partnership (CMHP) to secure funds for rehabilitating commercial, single family and multifamily housing. Zero interest, deferred, forgivable loan to the owners who make application. No cost to either city as grant writing is being funded by MLC, which will be submitted in November. Spring 2017 grants will be awarded for two year window. Thank you MLC board and our local Commissioner Dave Oslin for all that they do.

Open Forum: Toolcat: Weinreich is working on obtaining quotes to purchase one with dump box along with some needed attachments. Council agreed not to look at leasing options but to purchase out right. Bring back to 10/24 special meeting.

ADJOURNMENT: Motion by Bjornson, second by Button to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 8:04 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The October 24, 2016 special meeting of the Wahkon City Council was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Tony Button, and Christine Bjornson. Employees present were Chris Weinreich and Karrie Roeschlein. Meeting began with the Pledge of Allegiance.

BOBCAT “TOOLCAT” PURCHASE: Weinreich spoke at length about options and supplied quotes. He test drove one at the ponds and it does hold the bank well for mowing purposes. Council agreed to purchase 84” snowblade along with other attachments amounting to \$11,908.29. New city truck was split between sewer and general funds. Motion by Bjornson-Main, second by Button to purchase a Bobcat Toolcat Model 5600 \$49,750.00 plus attachments \$11,908.29, total of \$61,658.29 from Lano Equipment to be split between General and Sewer Funds. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

SALE OF CITY TRACTOR: To fix city 1978 Massey Ferguson tractor it needs to be split down the middle, approximate cost \$3000; current value is \$3500-\$5000 per Weinreich. Council agreed to place ads in Mille Lacs Messenger and on League of MN Cities website to sell the tractor “as is” with some attachments; bids to be opened at 11/14 council meeting.

RESOLUTION NO. 2016-1024 “SETTING A PUBLIC HEARING ON THE VACATION OF AN ALLEY IN THE PLAT OF POTTSTOWN”: Motion by Button, second by Bjornson to adopt Resolution No. 2016-1024. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Hearing will be held 12/12/2016 at 6:00 pm. Council began this process through a motion at their 10/10/2016 meeting due to the fact this alley has never been opened as it has been and continues to be used by a resort.

ZONING ORDINANCE & RECREATIONAL VEHICLE MORATORIUM: Last special meeting to review zoning ordinance draft 6/19/2015 was 8/24/2015 where council directed clerk to draft regulations for fish houses and RV’s. Due to the legalities of zoning, she wasn’t comfortable doing that without legal assistance. Changes noted per 8/24 minutes still need to be forwarded to city attorney; awaiting decision from council about fish house & RV section. Ordinance 2016-1 was adopted at 6/29/16 meeting implementing one year moratorium on fish houses & RV’s in order to study their use. New city attorney Kyle Hartnett can take over for Troy Gilchrist (same legal firm) to finalize the zoning ordinance.

Mille Lacs County (MLC) can’t do zoning duties at this time but may reconsider in 2017. With more restrictions, such as FEMA Floodplain, zoning is becoming more complicated and property owners are passionate about reserving their rights to develop as they see fit. It is difficult in small town to be zoning administrator, when you know everyone.

Council agreed the following can be added to zoning ordinance draft by city attorney and to set tentative future review at December meeting with attorney present:

1. Fish houses & RV’s used for overnight sleeping must meet setbacks and have utilities; sewer, water and electric.
2. Permanent structure requirement of 600 square feet. No width requirement, but can we require a pitched roof?
3. Accessory structure can be built first to keep blight at bay.
4. Accessory structure is a permanent structure thus property can have up to two fish houses and/or RV’s as long as there are utilities; sewer, water and electric.
5. Can we give window of time for non-conforming fish houses and RV’s to conform to new utility requirements?
6. Seasonal storage of vehicles, fish houses, and RV’s must meet setbacks.

2016 Street Blacktopping Update: Council agreed with Weinreich and Button's recommendation to hire All American Construction to do necessary shoulder work on Meshigun Ave. and 1st Street E for \$1850 before winter to help with erosion. This work will not exceed blacktop budget approved at a previous meeting.

ADJOURNMENT: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Meeting adjourned at 7:07 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The November 14, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Christine Bjornson, and Tony Button. Employees Chris Weinreich and Karrie Roeschlein were present. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Button, second by Bjornson-Main to approve consent agenda as written. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

- A) Vacation Public Hearing 12/12 @ 6 pm: Portion of Seventh St. & Block 3 Alley
- B) Mille Lacs Fisheries Advisory Committee (MLFAC) Jamie Edwards, MLB of Ojibwe Dir. Of Government Relations Resignation Letter & MLFAC's Reply
- C) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 9/2016 \$506.30
- D) Treasurer's Report Ending Balance \$692,809.31
- E) Interim Financial Monthly Analysis Report
- F) Disbursement 11/14 Register, Date Range 10/11 – 11/14, Total \$160,613.59

ORDINANCES, RESOLUTIONS & POLICIES: Resolution No. 2016-1114 “Adopting 2017 Special Assessments for 2016 Delinquent Utility Fees: Motion by Button, second by Bjornson to adopt Resolution No. 2016-1114. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Accounts with past due balances through third quarter were sent letters. Report must be given to Mille Lacs County (MLC) by 11/15, however customers can make payments through year end, thereafter, any unpaid balance will be assessed. Eighteen accounts are past due in the amount of \$8441.05.

REPORTS: Wastewater: Newly purchased Bobcat “Toolcat” machine will be delivered soon. Carburetor on phosphorous tanker truck is shot and must be replaced; Onamia Service Center is looking for used one. Plugged line needs to be cleared before ice forms on the sewer ponds. Weinreich is getting quotes. Lift station annual inspections were completed. Impeller replacements are no longer available for some pumps. Pond discharge should occur soon once lab results are back.

Zoning: Unresolved violations: J&J's Detached Townhomes, Ellis, Diver, & Carr. One year permit extension approved to Gary Larson, PID #25-040-0450 @ 165 3rd St E for 24'x14' addition.

Schindele Primary Structure Question: Donna Jackson Schindele recently removed an old 14'x70' manufactured home with entryway addition off her property at 535 Hennepin Ave. She questions possibility of purchasing a new 14'x56' manufactured home and adding an entryway addition to make the 24' width and 900 square footage requirement. Council agreed this would be an improvement over what was there and to allow an addition to a single wide home thus making it 24' wide and having appropriate 900 square feet. Permit must be applied for and setback inspection done before any work can commence. Foundation must be properly installed per manufacturer's requirements. Single wide home is about \$50,000 and a double wide would be double.

National Joint Powers Alliance (NJPA) Proposal: NJPA jurisdiction doesn't include Mille Lacs county however they would be willing to do zoning services for Wahkon at a cost of \$60 per hour; no fee for travel-related costs. Currently they contract with several cities, including Garrison, who is very happy with their work. They can handle all aspects of zoning, from citizen's questions, onsite inspections, approving applications, planning commission reports and required notices. Council would like to invite Darrin Welle of NJPA to discuss further at a special meeting, which we will be having monthly beginning in 2017 until new zoning ordinance is adopted.

Employee, Committee & Councilmember Updates: Weinreich: MnDOT will remove in ground construction signs around town and their work trailer from city lot area as Hwy 27 project is finished. Two new crosswalks were installed, one at 1st and one at 3rd streets, along with the double one on 2nd. MnDOT has always stated no crosswalk on 1st due to the curve, but they did it. Someone fell on Chippewa but wasn't hurt, due to glass beads being used by both a city contractor and MnDOT for reflection purposes. Weinreich swept up some and MnDOT has been informed, but they believe their contractor cleaned up their areas of concern. Wahkon sidewalks have only a slight edge and not official curb & gutter. When MnDOT did the parking lane reclamation, some of the sidewalk is flush to the street. Clerk has been here 23 years and Wahkon has never been asked to partner with MnDOT to install proper sidewalks with curb & gutter. What is a small city to do? When discussing this with MnDOT they explained new ADA ramps are flush and require proper drainage from as far back as a half a block. Button measured Isle corners and disagrees. It was stated in jest that they know we haven't lowed our buildings. How can a city install sidewalks with proper elevations when the highway is repaved over the years? Representative Sondra Erickson may be able to help solicit funds and support. Isle has had their sidewalks replaced twice now. Wahkon is on MnDOT's 10 year plan for possible Main Street renovation in 2023. Per Weinreich water does freeze in the flag pole holes but will document what transpires from this point forward as there may be adverse drainage to businesses flowing across city sidewalks. New center turn lane was installed, which widened State's travel portion thus city \$9000 portion to repave parking lanes wasn't necessary.

Parks: Weinreich: Fishing pier and boat launch area was improved with several loads of blacktop grindings from the highway project done by All American Construction. DNR gave verbal approval to Weinreich and Park Commissioner Bjornson was in favor of the improvement which will shore up the rocks underneath making it easier to install and remove the pier. Boardwalk won't be necessary in the future which is great as storm waves usually misalign them several times a year creating more work for Weinreich. Pier needs some welding work. Weinreich would like to see the pulley system removed and the pier lowered a bit. All American Construction will submit an estimate. Council agreed to hire All American Construction at \$85 per hour to pull boulders out of the way for easier pier installation and to prevent future pier damage.

Chippewa Trail: Several old cement culverts were purchased by WAVE for \$25 each for placement in low trail areas. Dirt excavated for street blacktopping and ditch work was used on the trail too. WAVE authorized \$1000 for Chippewa Trail, including culverts and brush grubbing. Couple of trees are marked for removal to ensure safety. Tom Cardwell had complained snowmobile trail takes up the small width of 3rd Street, which now will be located more fully in the ditch. MLDS grooms snowmobile trail and Button will attend their next meeting to see if they have any funds for improving it. Waiting for bill from contractor that hauled culverts. Remaining unused culverts are in city storage yard. Motion by Bjornson, second by Bjornson-Main to authorize a match of \$1000 from Charitable Gambling Fund for Chippewa Trail improvements. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Building: Weinreich has made several calls requesting quotes to replace roof on city/community hall but has only received one thus far. Button: WAVE purchased and installed flag pole at city hall. It looks great, thank you! Discussed having plantings around it but will wait until spring to decide. Keep in mind Wahkon Day setup of vendors and games.

Community Toy Drive: Button, along with other volunteers, will once again have a toy drive on 12/17 to ensure kids in need get presents. Bjornson has graciously agreed to take the necessary training from the U.S. Marines in Washington D.C. in order to have "Toys for Tots" in 2018.

Building Health Communities for Our Children: Roeschlein and Button are part of Building Healthy Communities Committee sponsored by Noble Cause Grant, Mille Lacs Band, and Catholic Charities Dept. of Social Concerns. There will be free pizza prior to “Effectively Living & Working Within a Diverse World” presentation at 6 pm by Jodi Pfarr on 12/8 at the ROC in Onamia. This unique training will give participants a “practical understanding of how to work effectively with diverse populations to help them better manage, supervise, or volunteer within their organizations or committees.”

UNFINISHED BUSINESS: Veterans Park Feasibility Study: Initiative Foundation (I.F) Grant Signed Agreement: Wahkon was awarded \$2500 grant toward the study and City agreed to \$5000. S.E.H will begin the study soon.

NEW BUSINESS: Canvass 11/8/2016 City of Wahkon General Election Results: Motion by Bjornson, second by Button to accept 11/8/2016 city election results. Mayor (two year term): Sandy Reichel 101 votes; two Councilmembers (four year term): Anthony Button 86 votes and Kim Tyson 54 votes. Special election for one Councilmember (two year term) Ronda Bjornson-Main (write-in) 12 votes. Registered voters 165, new registrants 19, total votes cast in person 123, absentee votes 18 for 77% voter turnout. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Mayor thanked Bjornson-Main and Angie Groth for being write in candidates for their community. There weren't any official candidates for the special election two year seat. Tyson had sent an email after the official deadline withdrawing from the election due to family issues. Ballots were already printed and she won. Clerk read Tyson 11/12 email to council: “Due to the fact that even though I had withdrawn myself as a candidate for the open 4 year term council seat, I feel that the results of the election show that the citizens of Wahkon still support me in taking that seat. Since I withdraw my name, several of the family issues that I had been dealing with have since been resolved. I now feel that I will have the time required to serve on the council in a manner that will best serve the city, as well as the citizens of Wahkon. I would be honored to once again serve them both.”

Clerk will investigate mail in election details for 2018. Township clerks she has spoken with claim citizen participation increases and expenses decrease.

Utility Tractor Sale Bids: Placed ads in Messenger for two weeks, on MN Rural Water Assoc. (MRWA) and League of MN Cities (LMC) websites and posted in three places since 10/27. Received two bids, which Mayor opened: Dave Tyson \$1550 and Chad Hoiheisel \$2502. Weinreich believes estimated value is \$3000 and there are major repairs needed, which bidders were made aware of. Lano Equipment offered \$1500 trade in for the tractor toward new Bobcat “Toolcat.” Motion by Button, second by Bjornson-Main to sell “as is” the 1978 Massey Ferguson 20C utility tractor 47 HP 3 cylinder Perkins diesel motor, 3098 hours with box blade, pallet forks, tire chains and loader/bucket. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Ordinance No. 20 Prohibiting Discharge of Firearms Discussion: Bjornson-Main inquired about hunting status of a property in Wahkon and Clerk directed her to Ordinance No. 20 prohibiting all discharge of firearms, bow and arrow and BB/air guns. Ordinance was adopted in 1976 and allows City to issue a permit, “such permit shall be in writing and may be issued at the discretion of the Council subsequent to application presented to a meeting of the Council.” Note on the ordinance copy from clerk states discharge of any firearm is prohibited with city limits per statute and that ordinance should be repealed. Clerk has been informing citizens for several years now that no hunting is allowed within city limits. No permits have been issued in a long time; Tim Roeschlein has one. Isn't this a liability for the city to issue permits, especially if it is against the law? This is a hunting community

and we should be giving accurate information. LMC emailed applicable hunting laws and suggested our city attorney be contacted as they are currently working on a memo. “While cities cannot regulate firearms or hunting, the city may regulate, by ordinance, the discharge of firearms. The city may also adopt an ordinance that includes regulations identical to state law.” Isle just went through this and in the end adopted an ordinance following state law allowing properties not within 500 feet of a building to discharge firearms; there are only three parcels with that capability. Investigate and bring back options to council.

Open Forum: Draft Zoning Ordinance: Today clerk received draft of proposed edits regarding fish house storage & recreational vehicles from City Attorney Kyle Hartnett. Council agreed to have monthly special meetings beginning in January until new zoning ordinance and fee schedule has been adopted. Current moratorium prohibiting fish houses and recreational vehicles is only valid for one year and appropriate regulations needs to be in place. Hartnett forwarded information regarding Temporary Family Health Care Dwellings, which was signed into law this year by Governor Dayton. Cities may opt out by passing an ordinance which Hartnett provided to amend our current zoning ordinance. Council agreed to fully review at upcoming special meetings in 2017.

Dead End Sign: Council agreed to place a dead end sign per request made by Bjornson who offered to pay for it, which isn't necessary. Since moving to property located on Radisson, she has seen many vehicles drive in and turn around. The other morning someone with a trailer made her late for work as he couldn't turn around readily. Weinreich questioned where the dead end sign on 6th Street near Gary Larson went? Dead end sign will be ordered and placed back on 6th Street.

ADJOURNMENT: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 7:22 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor

The December 12, 2016 Wahkon City Council meeting was called to order by Mayor Sandy Reichel at 6:00 pm. Councilmembers present were Ronda Bjornson-Main, Christine Bjornson, and Tony Button. Employees present were Chris Weinreich and Karrie Roeschlein, as well as City Attorney Kyle Hartnett. Meeting began with the Pledge of Allegiance.

CONSENT AGENDA: All items listed shall be approved by one motion, unless removed. Motion by Bjornson, second by Bjornson-Main to approve consent agenda as written. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

- A) Minutes: 11/14, 10/10, 6/13 & 5/9 Council Meetings; 6/29 Special Meeting
- B) League of MN Cities Insurance Trust (LMCIT) 2016-17 Premium Rates, Coverage Changes & 2016 Dividend Info Memos
- C) CenterPoint Energy Rate Increase
- D) MN Dept. of Human Services New Residential Program Licenses
- E) Charitable Gambling 10% Reports: Mille Lacs Drift Skippers (MLDS) 10/2016 \$1001.20
- F) Mille Lacs County (MLC) Tax Settlement Report \$124,590.33
- G) East Central Energy (ECE) Capital Credit Refund \$1055.32
- H) Treasurer's Report Ending Balance \$547,894.56
- I) Interim Financial Monthly Analysis Report
- J) Disbursement 12/12 Register, Date Range 11/15 – 12/12, Total \$27,830.26

PUBLIC HEARINGS & PETITIONS: Alley in Block 3, Pottstown Vacation Public Hearing: Motion by Button, second by Bjornson-Main to open the Alley in Block 3 vacation public hearing . Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Public comments: Council initiated this vacation. Alley can't be used by the public unless they trespass across private property as both streets accessing the alley have been vacated. RV utility hook ups are in the alley that has been used by resort owners over the years. No comments received, nor any heard today for or against. Alley goes nowhere, ends nowhere, and cleans up property title. Motion by Bjornson, second by Button to close the alley vacation public hearing. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

7th Street E, Wahkon Vacation Public Hearing: Motion by Bjornson-Main, second by Bjornson to open the 7th Street E. vacation public hearing. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Public comments: Janet Bezanson spoke on behalf of the petitioners and offered a revised map of vacation request to include building by the lake; Judy and Jim were also present. Their ancestor was involved in the platting of Wahkon and as a family they didn't realize the driveway access was actually 7th St. Buildings have been there since the 1940's and the street hasn't been publically travelled or maintained. Lawn and driveway have been maintained by abutting property owners. Recently became aware they can ask to vacate a portion of the street right of way (ROW); a strip measuring approximately 175' in length beginning at the lake with 30' width and commencing at a point easterly at a width of 21', encompassing their boathouse and well currently in the 60' ROW. Street has no future public use, would be costly to create and maintain, and vacating it would negate city liability. Not losing any public access as it hasn't been used in the past and there are accesses nearby. Over the years they've brought in class five at their own cost and took care of dead trees too.

Brian Bezanson addressed council explaining how two family trusts are involved in the area. His family owns property south of 7th St. E. He brought up the legal standpoint that some petition signatures weren't valid to the request. DNR representatives brought up this fact to Clerk after doing their onsite review and Bezanson supplied a revised petition with only the relative property owner signatures; previous petition had more than was necessary. He suggests both families should agree to

split the street between them along the lines that traditionally each family has maintained over the years, which he believes is legally enforceable. Vacation petition stated “If the owners of Lot 6 Block 29 are interested in vacating the entire 60 feet in the section, we are not opposed to that. Per Mille Lacs County representatives, while the state statute would divide the vacated land 50/50 to the 2 abutting landowners, if the landowners want a different split, they can do that. So if the council would decide to vacate the entire 60 foot width of this section we would be open to discussing a different split.” Judy Bezanson confirmed they’d be open to such an agreement.

How would vacating this benefit the public? Increase tax base through residential development. Brian can’t build onto his structure due to encroachment. Currently there is a boat lift blocking the ROW owned by Brian; he offered to relocate it if needed. Property owners abutting the lake in Blocks 28 & 29, including both Bezanson families, were granted vacation in 1988 of entire 60’ width of Lake Shore Blvd and Reserve B, width unknown and fluctuates with lake level, as they were the only abutting owners. Undeveloped streets can be used for more than vehicular traffic, such as walking trails and 7th St. accesses the lake. Could some of each side be vacated and reserve the center for the public? Brian believes DNR may have tougher requirements for lake accesses and noted lake is very shallow requiring use of an extender to get a boat in the lake. What if the families sold to others in the future? Need adequate street access for future development. City Attorney Hartnett wasn’t sure about partial vacation as his experience is with townships who vacate entire ROW. Council has no authority to decide who gets what portion of the ROW if vacated as they are only relinquishing their right to it as a public easement. City sewer line and manhole is partially in the ROW, which has been maintained over the years. Judy believes the area is useless for the reason it was platted. If it becomes public, there would be concerns as their homes are vacant most of the year due to seasonal use. Brian reiterated his family disagrees with what is presented and proposes an enforceable agreement between the families, which his attorney can draft if city vacates all of it. Motion by Bjornson-Main, second by Button to close the 7th Street E. vacation public hearing and continue it to the 1/9/2016 council meeting. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Final Decision Delayed until DNR Recommendation Arrives for 1/9/17 Meeting: Public hearing notice was sent to our DNR contact by regular mail and per statute it must be sent certified mail to the State DNR Commissioner. Notice was sent certified on 11/3 to required contact giving 67 day notice to the 1/19 public hearing, which is why the motion to continue the hearing was made above. DNR agreed today’s hearing could be conducted as property owners had already received notice, as long as council’s decision was delayed until 1/9, thus meeting statute requirement to hear DNR comments.

Hartnett advised council to limit their deliberation until 1/9. At that time they could vacate the entire 60’ width with conditions that owners supply an agreement of the split within a certain time limit.

City Right of Way (ROW) Private & Public Use Discussion: City Attorney Kyle Hartnett: Memo was included outlining ROW use and responsibilities relative to “paper roads” that haven’t been opened by the City. Township authority is more definite than cities. City holds easement for public use by the plat owners. “[A]ny abutting landowner owns to the middle of the platted street or alley and...the soil and its appurtenances, within the limits of such street or alley, belong to the owner in fee, subject only to the right of the public to use or remove the same for the purpose of improvement.” Cities can open paper roads for vehicular use but also for lesser uses, such as walking. Landowners cannot make permanent improvements with ROW as all owners of property within a plat are allowed to use the dedicated but not opened streets. “A city, therefore, should ensure that such streets stay unobstructed to allow them to be opened in the future.”

Clerk requested this discuss occur with city attorney present as more and more conversations have been heard relative to ROW use, such as Diane Eckert requesting pile of “diggings” be removed from Schubert that Weinreich instructed All American Construction place in the city ROW which will be leveled and Gary Larson demanding dead end sign not be erected again at the corner of Hennepin and 6th St as directed by council. Larson informed Clerk he recently removed Gopher State One Call locate lath/flags to the other side of the street, where he claims it should go, as that land owner doesn’t mow as much. Attorney agreed City has right to install signs in location they deem appropriate. Clerk to send letter to Gary Larson stating the city will replace the missing dead end sign in the same location.

ORDINANCES, RESOLUTIONS & POLICIES: Resolution No. 2016-1212 “Vacating a Portion of an Alleyway in the Plat of Pottstown”: Alley is landlocked as both streets accessing it have been vacated. Motion by Bjornson-Main, second by Bjornson to adopt Resolution No. 2016-1212 vacating the alley within Block 3, Plat of Pottstown. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously.

Button wanted it on record that an old survey conducted by Fulton in 1980 for Janet Leach indicates an ingress & egress easement and access to Mille Lacs 14’ wide between lots 10 & 11 and 14 & 15 of Block 3 across this alley. In about 1981 vacation was granted by court judgement for most of Nicollet to the lake and approximately 43’ of the westerly portion of the alley due to building encroachment and existing Leach Resort use. Where the alley vacation ends seems to coincide with the beginning of the 14’ easement. Dave Rose, current owner of the property had previously indicated no easement was found through a title search.

REPORTS: Wastewater: Weinreich: Explained how a sewer contractor was working under another contractor’s license, which he is uncomfortable with. With more restrictive plumbing codes and license requirements, contractors sometime do this, but who is responsible that work is done correctly? It should fall to the licensed contractor. Verify what our ordinance states. Onamia requires contractors to register to do any work in the city. Council felt registered contractor list could be given to citizens ensuring all work is being conducted by licensed, bonded and insured contractors. Keep in mind for when fee schedule is updated.

Employee, Committee & Councilmember Updates: Weinreich has obtained three roof replacement bids, but there are huge disparities between them and will be investigating further. Check with insurance company to see if anything would be covered. WAVE chili cook off will be held 1/28 at Wahkon Inn. Reichel asked Chris to thank April Weinreich for decorating the community hall and Christmas tree so beautifully.

UNFINISHED BUSINESS: Firearms Regulations Memo: City Attorney Kyle Hartnett: Current ordinance prohibits the discharge of firearms unless a permit is issued by council. Hartnett recommends ordinance be amended with permit requirements as currently there are none. “Rural cities, however, are unique because they need to adopt regulations that prohibit the use of firearms in populated areas but may want to allow their use in the rural parts of the city.” City of Isle adopted restriction of prohibiting discharge within 500’ of any building, which only three parcels meet. City could limit to a particular size lot or only metes and bound properties. Weinreich is concerned for his cattle. What about bow & arrow target shooting? Council agreed ordinance should be cleaned up but tabled the issue until January meeting in order for council to bring back suggestions.

Property Owner Notification of City Work: Tom Jackson impressed upon council the need to better inform property owners when ROW work will be conducted near them. In particular he wasn't aware of the amount of work being done to 3rd St. W and Chippewa. Extensive removal of trees and shrubs was done in the 70' ROW that only has 20' of blacktop. Some of the ROW is used by snowmobilers which was reason for improvement. Jackson has mowed it for years. Clerk believed some notice was sent but it may have been relative to the alley work done nearby. Here is another example of abutting property owner use and city's right to improve a platted ROW. Hartnett stated it isn't a requirement but it is best practice to keep everyone informed through written communication. Council agreed with Jackson it would be the neighborly thing to do.

NEW BUSINESS: MN Dept. of Transportation (MnDOT) 2016 Hwy 27 Project: Draft Letter of Thanks: Council agreed with Button's suggestion to send letter thanking them for extra crosswalks, 14' center turn lane, adding fog line and their diligence to not disrupting businesses.

New Development Incentive: Possible Sewer Connection/Usage Fee Reduction: Button: Sewer connection fee was recently lowered to \$1500. Should city offer three years of sewer usage fees to develop in Wahkon, approximately \$415 annually? Written policy would be required and not on a case by case basis. Should there be a limited time frame? Refunding bond payments depend upon sewer fees. MLC is applying for a small cities grant for housing rehabilitation on behalf of Isle and Wahkon and we should know more in 2017. Tax Increment Financing (TIF) districts can also be designated for improvements through tax incentives. Check with MLC Administrator Pat Oman, as he mentioned having examples of development incentive policies.

Community Neighborhood Watch Discussion: WAVE Committee believes this would be good for the community due to recent issues that have occurred. Sheriff Brent Lindgren can attend the January meeting to discuss further. With new technology there is also a website called NextDoor.com that can be exclusive to one neighborhood or an entire city keeping citizens informed of community issues.

Possible Sealed Bid Items for Sale: Weinreich supplied a list of items that are being stored but not used, and new Toolcat with attachments needing storage, space is limited. Council agreed to sell two 30" charcoal grills, 40 gallon stainless steel tipping kettle with burner, 8 HP walk behind brush cutter, 54" John Deere snowblade and 52" John Deere rotary broom through free venues such as MN Rural Water Assoc., Craig's list, and League of MN Cities. Bring back to February meeting.

All American Quote to Modify Trail Mower: Weinreich uses his own four wheeler to pull the mower and during wet periods it tears up the ROW. If modified it would fit the Toolcat and function better. Paid approximately \$1500 - \$1800 for the mower and cost to modify would be \$1500. New one would run \$8,000 - \$11,000. Council agreed not to authorize the work as modifications may not turn out as well as intended, rent a trail mower when needed, and to sell city trail mower as is.

ADJOURNMENT: Motion by Bjornson-Main, second by Bjornson to adjourn. Ayes: Bjornson, Bjornson-Main, Button, and Reichel. Motion carried unanimously. Meeting adjourned at 8:15 pm.

Karrie Roeschlein, Clerk/Treasurer

Sandy Reichel, Mayor