

**WALKER CITY COUNCIL  
REGULAR MEETING MINUTES  
WALKER FIRE HALL MEETING ROOM  
Thursday July 7, 2008**

**CALL TO ORDER – Mayor Walhof**

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

Sylvia Bakker, City Employee  
Wayne Tennis, Police Chief  
John Valen, City Attorney  
Carolyn Upton, US Forest Service  
Brian Hein, Leech Lake Chamber  
Willard Arends, Park Board  
Andy Peek, SEH  
Jay Pederson  
Andy Bednarczyk  
Mary Andrus  
Mary Beth Mohr

Joanne Mitchell, City Employee  
Edy Asell, Planning & Zoning  
Will Hoyt, Landecker & Assoc.  
Steve Bilben, Bike Trail  
Cindy Warnarka, Leech Lake Chamber  
Dean Morrill, Pilot Independent  
Ken Bresley  
Jeff Holly  
Dale Jones  
Ron Geiser, Shingobee Twp.

**CONSENT AGENDA – Mayor Walhof**

M/S Finney, Wilkening to approve the Consent Agenda Items 1 thru 17 as follows:

1. Approve Walker City Council Public Hearing Meeting Minutes of June 19, 2008.
2. Approve Walker City Council Regular Meeting Minutes of June 19, 2008.
3. Approve Claim #39919 thru #39930, Claim #39931 thru Claim #39948, Claim #39949 thru Claim #40066 in the amount of \$241,677.94.
4. Approve Cash Balance Report for the month ending May 31, 2008.
5. Review and file Walker Police Departments Monthly Report.
6. Review and file Cass County taxing authority's statement of remittance.
7. Review and file Cass County Health, Human & Veteran's Services letter of compliance to Walker Bay Spirits with the Minnesota Youth Access to Tobacco Law.
8. Review and file Letter dated June 4, 2008 to Ken Bresley, Airport Commissioner from the Minnesota Department of Transportation, Office of Aeronautics.
9. Removed # 9, Items for Cass County Auction.
10. Review and file the 4 pages of documents pertaining to the Walker Area Senior Citizen Center.
11. Review and file correspondence from Carolyn Upton, District Ranger, Walker Forest Service.

12. Review and file Cass County Economic Development Corporations June 2008 Activity Report.
13. Review and file correspondence to Walker Police Chief, and Officer Jesse LeBlanc.
14. Consider approval to pay Minnesota Association of Small Cities dues in the amount of \$651.30.
15. Consider approval to pay Invoice #8339 in the amount of \$735.00 to Landecker & Associates for professional services from June 1, 2008 to June 19, 2008.
16. Review and file Walker Ambulance Services aging summary report thru July 1, 2008.
17. Review and file correspondence from Tianna Country Club.
18. Addition of #8, under Personnel, Budget & Finance, pay voucher request from SEH.

Motion passed: 5-0

Pull out consent agenda item #9

- M/S Fjelstul, Wilkening to remove # 1, Polaris 4-wheeler which will be a donation from the Police Department to the Evergreen Cemetery and add the bucket for a front-end loader and the Old Liquor Store Sign.

Motion passed: 5-0

#### **SCHEDULED CITIZEN PRESENTATIONS – Mayor Walhof**

- Ken Bresley & Andy Peek gave an update on the Airport Projects.
- Steve Bilben – Update on Shingobee Connection Bike Trail Grant
- Andy Bednarzyk - this has to do with volunteerism, I made a little chart here that shows what Walker's all about, the sunrise, the sunset, the storms, the Lighthouse, the whole bit, and what is being accomplished here in our Community. WHY WALKER? It's the Quality of Life, time to give back, Volunteer! Let's not forget, a volunteer thought of our Community Slogan, volunteers paid for the signage entering our community, volunteers plant trees, fill flower baskets, provide banners on poles, build picnic tables at park. Added our sound system downtown, mow ditches, and other non-city tasks. Donated the City Light House (which was one of the key presentations to Jason Davis just weeks ago! PR). Maintain upkeep on lighthouse, drag the beach and volleyball court, drag the park to rid it of Duck Dung. Volunteers provide Christmas Lightning. Don't forget that Volunteers got our fishery back in shape. Do you think the DNR would have done anything without the well documented pressure from volunteers?

Don't let a few personal gut feelings get in the way of our energized community. Keep it simple! We will respond as we have in the past without being told the who's, what's and where's. We are adults who CARE. Andy Bednarzyk, Walker, MN (My Home town)

#### **CITY STAFF COMMENTS/CONCERNS – Administrator Terri Bjorklund**

- No Business.

**PERSONNEL, BUDGET & ADMINISTRATION – Councilmember /Fjelstul**

1. **M/S** Fjelstul, Finney to close 5<sup>th</sup> Street between Minnesota Ave. and Front Street on July 18<sup>th</sup> for the Firemen’s Ball.

Motion passed: 5-0

2. **M/S** Fjelstul, Wilkening to approve the Initiative Foundations Budget request for a \$350.00 donation for fiscal year 2009.

Motion passed: 5-0

3. **M/S** Fjelstul, Finney to approve Cass County Economic Developments Budget request for a VIP Membership in the amount of \$1,500.00 for fiscal year 2009.

Motion passed: 5-0

4. **M/S** Fjelstul, Wilkening to approve a 1 to 4 day Temporary Liquor License for Walker Rotary for August 1<sup>st</sup> & 2<sup>nd</sup> for Walker Bay Days.

Motion passed: 5-0

5. **M/S** Fjelstul, Wilkening to approve the Finance Committee’s recommendation to split the increase in the City’s Health Insurance Plan 50/50 with the employee. Mayor Walhof asked what the increase would be

Motion passed: 5-0

6. **M/S** Fjelstul, Finney to approve the Finance Committee’s recommendation to pay the full increase in the City’s Delta Dental Plan.

Motion passed: 5-0

7. **M/S** Fjelstul, Finney to deny request from Laurie Hill to use the 6-wheeler for Moondance Jam.

Motion passed: 5-0

8. **M/S** Fjelstul, Wilkening to approve pay voucher request from SEH in the amount of \$185,357.73 to Tri- City Paving for work completed on the Walker Airport.

Motion passed: 5-0

**ECONOMIC DEVELOPMENT/LIQUOR STORE – Councilmember Wilkening**

1. **M/S** Wilkening, Worth to review and file Walker Planning Commissions Public Hearing and Regular Meeting Minutes of Monday June 30, 2008.

Motion passed 5-0

2. **M/S** Wilkening, Finney to approve Walker Planning Commissions recommendation to approve a variance request (LU 2008-09) from Nancy Nelson for a 3 foot side-yard setback for a accessory structure, with all run off from the structure to be contained on the property owners property, and the structure is not to exceed 12’- 4” by 16’- 4’, or existing height, and the structure is not to be set closer to Leech Lake than the existing structure.

Motion passed: 5-0

3. **M/S** Wilkening, Finney to approve Resolution 25-2008, a Resolution to vacate a portion of Factory Street, contingent upon the City retaining a 40’ utility easement thru the existing vacated street right-of-way, the Forest Service will issue a long term permit to the City for Storm Water retention pond at no cost to the City, the Forest Service will support the exchange of the storm water retention pond property for the Skunk House property with the Forest Service being responsible for all processing costs, and the Forest Service will continue to support the

proposed co-location of the Chamber of commerce in the new District Office, continue to support the bike trail access to the site and provide on-site amenities in support of the bike trail, and working cooperatively with the city and MnDot to address the Highway 371 access issues in this area.

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

Motion passed: 5-0

**4. Discussion and action if needed on individual volunteers within the City of Walker.**

Council member Wilkening "It's been brought to my attention and I think all the Council members will agree that we need to address the issue of volunteerism. Andy Bednarczyk did a good job tonight of bringing that up and presenting it to us...what volunteerism means to this city. I think it could be a good thing. I think that the city should consider it as an opportunity, but we also need to project ourselves for potential liabilities. Edy Asell has done a little bit of research on it and forwarded me some information from the League of Minnesota Cities of Volunteerism and what their requirements are. We kinda went headlong into this volunteerism program. We've been accepting volunteers in our city for a long time. I think...personally, I feel community volunteerism in groups like the Rotary, the Legion and School District (inaudible) different things like that, those are different opportunities than individual volunteerism. I think there's a lot of individuals out there, too, that if there's an opportunity that they can do something good for the city would step up to the plate and do so. We may have gotten off on the wrong foot and this program that we've been working with here in recent, but at this point, I think the city really has no choice but to stop individual volunteerism until we have a policy set in place that addresses it because if we don't, we're gonna end up with a potential for lawsuits, we're gonna end up with, so to speak, uncontrolled chaos without a set of rules and guidance by which these volunteers are set forth. There has to be a safety plan put in place (inaudible) should be a job description developed for individual volunteer who chooses to come to our city and offer us an opportunity to do some public good. We need to hold ourselves harmless from action of this and try to minimize the risk for our constituents. So at this point, I personally feel that we need to halt volunteerism in our city, but to make a direct effort and a considerable effort over a short period of time to develop a set of guidelines and policies that would allow individual volunteerism to occur. And I'll put that into a motion if you're willing to accept that and the motion would be

**M/S** Wilkening, that as of today, individual volunteerism will need to halt in the city and that we would appoint a committee to review and set up policies in conjunction with our city attorney to allow for individualism volunteerism that would meet the guidelines from the League of Minnesota Cities requirements and protect our constituents from potential law suits.

Council member Fjelstul asked, Edy what did you find out from the League of Minnesota Cities?

Edy replied, I had given Mr. Wilkening a handout on that and I don't have it right here in my hands, but it does talk about when a city has property and anything happens on it, an accident or anything, we do carry some liability there and city employees are required to have safety training and equipment. You don't want to have an accident with any heavy equipment and be held liable for it. And by not having training or some insurance bonds posted, you do put yourself at risk

Council Member Fjelstul asked, in your research did you find any models of other cities that we might be able to take a look at because we're kinda caught between a rock and a hard place. A lot of people do a lot of good in this community and we wanna continue it.

Edy replied, I did. There was some excellent models. I think one was from a town in Wisconsin. I forwarded that to Councilman Wilkening, as well as to the City Administrator and another example, I forget where that one was from, but there were two very good examples.

Mayor Walhof stated, "I'd just like to say, Andy, I appreciated your little presentation because sometimes we forget what volunteers do do in our community. In fact, one of the items you mentioned, I happen to be a volunteer for, so I believe in volunteerism. But there were a couple of things that happened over the past several weeks that have brought this to a head. Last year, we had a situation on Walker Bay Boulevard when there was some mowing being done and there was some disagreement among the neighbors whether or not they wanted the boulevard mowed. And the City Council thought that they had come to a resolution of that by agreeing to mow what would be the east side of the boulevard and so we thought that that was all resolved until we started getting complaints from that area from local citizens again about that mowing being done. Then last week, we got a call from a contractor where twenty yards of sand was ordered for the Walker public beach area. Now, I love sand and I'd love to have 20 yards of sand on the beach, but we have a permit process that we need to go through with the DNR in order to acquire that much sand. We can't have individuals going out and doing things like this on their own. I think that was the chaos we were speaking about. Those things have to go through the Park Board and through the City Council. We can't have people calling contractors and ordering 20 yards of sand to put on the beach...just, we can't do it. And so that what...that is what has precipitated...this discussion here tonight. It's not that we don't want volunteers, we like volunteers, but we have to have some kind of orderly process so that we don't have individuals going off in all different directions doing different things on city property. I think it's only in our best interest that we develop some kind of form, some kind of process so that the city is protected if individuals want to volunteer. Now, all along the Rotary has volunteers and has done great things for the town. The Lions have done wonderful things for Walker. We've had other groups (inaudible) the Jaycees, which we no longer have. To my knowledge, this is the first time we've dealt

with an individual volunteer so please bear with us through this process while we get together with proper paperwork to continue this.

Willard Arends replied, In other words, you're recommending that we won't have volunteers in Walker?

Mayor Walhof, Willard, you just missed everything that I said.

Willard Arends responded, This whole things deals with Brian and Mary Johnson. Brian and Mary Johnson, like me, they love Walker, they wanna see a better place to live and have a nicer beautiful park and do things to improve it. And...for instance, well, I'll give you an example, some time ago....you know that I'm on the Park Board. (inaudible) Park Board met and discussed what we were gonna do for the future plans of the park and we all said it would be nice to have a lighthouse down at the park on the (inaudible) and but we said we'll never have a place, it would never happen. The next day in the Post Office, Brian came in and said, "Willard, I understand the Park Board would like to have a lighthouse in the park." And I said, "Yes." I said, "We can't afford it." "How about if I build a lighthouse for the park?" And I hugged him and said, "Great, that's good." And every time I (inaudible) Walker and some of us in town appreciate that. And (inaudible) Lions Club...I belong to the Lions Club, we all appreciate him, so we made him Grand Marshall for the 4<sup>th</sup> of July parade, which I thought was a little thing to show our appreciation and to me, the City Council....this is a funny way to show your appreciation for the things he's done for this town. Just strange to me.

After considerable discussion, Council member Wilkening regretfully retracted his motion.

More discussion ensued, and a motion was entertained by Council member Finney.

M/S Finney, Fjelstul to work on a plan with the Public Works Department, along with Edy Asell, and City Attorney John Valen and bring a recommendation back to the Council at the next meeting.

Motion passed: 5-0

**PARKS & RECREATION/LIBRARY – Councilmember Worth**

1. M/S Fjelstul, Wilkening to review and file Walker Park Board Meeting Minutes of June 24, 2008.

Motion passed: 5-0

2. M/S Fjelstul, Finney to approve agreement of preliminarily plans to develop the proposed trail linkage on land administered by the City, and the City will cooperate in seeking more formal authorization.

Motion passed: 5-0

**PUBLIC WORKS & SAFETY/ CEMETERY– Councilmember Finney**

1. **M/S** Fjelstul, Wilkening to review and file Walker Cemetery Board Meeting Minutes of June 26, 2008.

Motion passed: 5-0

2. **M/S** Finney, Fjelstul to approve the purchase of a X540 – 48” deck John Deere Lawn Tractor at a cost of \$6,200.00, plus tax from Walker Polaris and Power Equipment.

Motion passed: 5-0

3. **M/S** Finney, Fjelstul to approve quote from Turf Tech in the amount of \$1,278.00 to spray Noxious Weeds in designated areas of Walker Bay Blvd.

Motion passed: 5-0

4. **M/S** Finney, Wilkening to approve Nick Zubke’s request to get 175 yards of Class 5 Gravel at a cost of \$700.00, and to contract with T & C Excavating to have it graded out at a estimated cost of \$300.00, for the Industrial Park Road, and 13<sup>th</sup> Street.

Motion passed: 5-0

5. **M/S** Finney, Fjelstul to approve quote from Anderson Brothers in the amount of \$8,915.00 to over-lay the City’s portion of Division Street.

Motion passed: 5-0

6. **M/S** Finney, Wilkening to approve Walker Post Office’s request to post 15 minute parking signs on 6<sup>th</sup> Street, and Michigan Avenue, on the Post Office side of the Street.

Motion passed: 5-0

- **Discussion on Parking. Jay Pederson**

- **M/S** Finney, Wilkening to place a ten - minute No Parking Sign on the Stop Sign at the corner of 6<sup>th</sup> Street and Michigan Ave across from the Post Office.

7. **M/S** Finney, Wilkening to approve entering into a Long Term Lease with the Walker Forest Service for the Stormwater Pond, located on Walker Bay Blvd.

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

Motion passed: 5-0

8. **M/S** Finney, Wilkening to approve Landecker & Associates estimate to proceed with the stabilization and blacktopping of the back parking lot at City Hall, and to let it out for bids.

Motion passed: 5-0

9. **M/S** Finney, Fjelstul to approve the purchase of 2 Tar Carts, from Team Lab at a cost of \$900.00, plus shipping and tax.

Motion passed: 5-0

10. **M/S** Wilkening, Finney to table Resolution 26-2008, a amendment to Joint Resolution Shingobee Twp. 2007-06, and the City of Walker’s Resolution 35-2008.

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

**OTHER BUSINESS – Mayor Walhof**

- Fjelstul, Wilkening to continue the meeting until July 8, 2008 at 7:30 pm at the Walker/Hackensack/Aleley High School for a Community Meeting where a

quorum of Walker City Council members will be in attendance. No City business will be conducted.

- Gail Levenson, Cass County EDC gave an Update.

**ADJOURNMENT – Mayor Walhof**

Mayor Walhof adjourned the meeting at 8:54 p.m.

\_\_\_\_\_  
Bradley J. Walhof, Mayor

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