

CITY COUNCIL PROCEEDINGS

May 6, 2010

The City Council met at 5:00 p.m. in regular session with Mayor Larsen presiding. Council present: Zimmerman, Shepherd, True, Tooley. Council absent: Wood.

Guests in attendance: Kathy Humann, Izetta Dierking, Carol Rosenbaum, Delores Allen, Jan Allen, Tim Teig, Ron Hansen, Sherman Snyder, Darla Snyder, Jean Epley, Robin Tooley, Jodi Wood, Phillip Poole, Ashley Barta, Jessica Newcomb, Michael Chapman, and Phillip Houston.

City staff in attendance: Jim Blum, Shannon Wood, Terri Abel.

Mayor Larsen opened the public hearing on the budget amendment for the FY 2009-2010 budget.

Motion by Zimmerman, seconded by True to approve the agenda. Ayes: Shepherd, Tooley, Zimmerman, True. Carried.

Motion by Shepherd, seconded by Zimmerman to approve the preceding month's minutes and Library minutes. Ayes: True, Tooley, Zimmerman, Shepherd. Carried.

Motion by Zimmerman, seconded by Shepherd to approve the Treasurer's and Clerk's reports. Ayes: Shepherd, Tooley, Zimmerman, True. Carried.

No one was present at the Council meeting to request permission to keep a miniature horse in the City limits; no discussion was held pertaining to the topic.

Jan Allen was present at the Council meeting to discuss his recent utility bill. Allen's April 1, 2010 utility bill totaled \$183.84; his water usage amounted to 36,000 gallons. Allen explained that a piston in his water softener jammed and broke; the softener is a sealed unit. The repairman, who came from Omaha, said that something had to come in through the City's water system to damage the softener. The damage resulted in an excessive amount of water usage. Allen requested forgiveness of his utility bill over the amount of his typical bill, which totals approximately \$37.00 per month. Blum indicated that Jan Allen's residence is served by the old portion of the City's water main, and it is possible that a piece of slag could have come loose from the pipe. Blum noted that water softeners also break after a period of time. Jim indicated that he had also discussed the matter with the water softener representative. Blum stated that the piston in the system broke, but Jim could not be certain what caused the damage. Allen felt that the representative was well qualified; Jan reiterated that he felt that something coming from the City's water system damaged his water softener unit. Jim stated that he checked the water in Allen's neighborhood; the pipes were flushed last fall, and they have already been flushed this spring. Blum said that he had no knowledge of anything going through the City's water system. Shepherd clarified that the water pipes from the house to the main are Jan's responsibility to maintain. The City is responsible for the City's water main. Sue felt that it would be hard to determine if a piece of slag came from the City's main or Allen's service line.

Motion by Shepherd, seconded by Zimmerman to forgive 50% of the difference between \$183.84 and \$37.00 for Jan Allen's water bill. Ayes: Tooley, Shepherd, True. Nays: Zimmerman. Carried.

Various topics were discussed in conjunction with the City of Walnut Housing Rehabilitation Program. Sherman and Darla Snyder were present at the Council meeting to request forgiveness of their mortgage, which was made in conjunction with the program. The Council members had been provided with information from Melanie Mitchell, of Simmering-Cory, Inc., pertaining to the Snyder's request. According to the information, the Snyder's presently still owe \$9,588.52 on their promissory note.

The Council members had also been provided with a letter from Sherman and Darla Snyder explaining their request for forgiveness of the mortgage. All pertinent documentation is on file in City Hall.

Darla Snyder explained to the Council members that the Snyder's had sold their house, and they are purchasing a one-story home, mainly because Sherman can no longer navigate the stairs in their current house. She said that their bedroom and the main bathroom with their only shower are located on the second level of the house. Darla said that they will need to do a great deal of work to the home that they are purchasing in order to make it handicapped-accessible; their new home will also require a new furnace and air conditioner. She made a plea to the Council members to forgive the remainder of

the mortgage; Darla stated that at closing time, only approximately thirteen months will still remain on the mortgage. She stated that she had talked to the inspector of the housing program about her concerns that there could come a time within the five-year period that Sherman would no longer be able to navigate the stairs in their home. Darla said that, at that time, the inspector had told her that if there is a good reason, it would be possible that the loan could be forgiven.

Shepherd commented that as people age, their mobility decreases, and she understood the obstacles that the Snyder's are faced with. Darla also noted that it would be impossible to install a shower on the first floor of their present home without adding on to the structure. Darla emphasized that it was not their choice to sell their home, where they had expected to live for the remainder of their lives. Circumstances presented themselves which forced them to look at other living arrangements.

Shepherd indicated that, due to the Snyder's situation, she felt that the Council members should approve of the Snyder's request for forgiveness of their mortgage. Sue reminded the Council members of Sherman's lack of mobility as a result of his stroke. Sue also stated that it will be necessary for Sherman and Darla to spend a great deal of money to make their new home handicapped-accessible.

Motion by Shepherd, seconded by Tooley to approve Sherman and Darla Snyder's request for forgiveness of a mortgage/promissory note that was executed in conjunction with the City of Walnut Housing Rehabilitation Program. Ayes: Zimmerman, Shepherd, True, Tooley. Carried.

The Council members were provided with a bid tabulation sheet from the bid letting for rehabilitation of 407 Pleasant Street and 415 Pacific Street. According to the sheet, Walnut Creek Construction submitted the low bid on both projects. The Council members were also provided with copies of the bids as well as a copy of the standard contract that will be used on all projects.

Motion by Tooley, seconded by Zimmerman to award a Housing Rehabilitation contract for 407 Pleasant Street to Walnut Creek Construction in the amount of \$28,910.00. Ayes: True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Shepherd, seconded by True to award a Housing Rehabilitation contract for 415 Pacific Street to Walnut Creek Construction in the amount of \$17,755.00. Ayes: True, Tooley, Zimmerman, Shepherd. Carried.

Ron Hansen was present at the Council meeting to discuss a problem with drainage onto his property, which is located at 205 Walnut Street. Hansen noted that the drainage onto his property has occurred for the past thirty years, but the problem has continued to worsen. Ron informed the Council that all of the surface water drains south from the Baptist Church across Hansen's back yard, where the City's stormsewer system is located. The City's stormsewer pipe that extends through the Hansen property is too small to handle the drainage. During a recent 4" rainfall, Ron had 3 ½ feet of water in his basement. Hansen stated that he typically replaces two to three sump pumps per year, and his basement has continued to flood. Ron indicated that the situation needs to be addressed by the City.

Mayor Larsen informed Hansen that the City has been planning to begin a curb and gutter project on Walnut Street. Larsen stated that the City men dug two exploratory holes in the area of concern. Mayor Larsen indicated that it was apparent that the City's stormsewer pipe is too small to handle the drainage from heavy rains. Jim said that he cannot see through the entire line, and he noted that it would be possible to camera the line. Blum also said that it would be quite difficult to excavate the line because of buried concrete and debris. Blum commented that additional runoff from new construction has certainly added to the drainage problem. Jim felt that the current stormsewer system is simply being overloaded. Blum did not feel that the City would ever abandon the stormsewer in Hansen's back yard; however, he did feel that the City's curb and gutter program would divert a great deal of the drainage away from Hansen's property.

The Council members reviewed a letter from Jake Hansen, the Program Administrator for the C.I.T.I.E.S. Grant Program. According to the letter, the City's application for funding was scored and received enough points to be eligible for C.I.T.I.E.S. assistance in the amount of \$186,615.00. However, presently there is not sufficient funding in the program for Pottawattamie County to obligate funding for the project. A Grant Agreement for the City's Street Improvement Project cannot be issued by the Board of Supervisors until sufficient funding is available in the C.I.T.I.E.S. Program. The County intends to seek re-capitalization of the C.I.T.I.E.S. program in the

3rd quarter of 2010 and will know by mid-September how much funding is available to issue additional grant agreements.

Abel questioned whether the Council wanted to proceed with engineering services for a curb and gutter project on Walnut Street, knowing that it is possible that the project will not receive C.I.T.I.E.S. funding. Abel indicated that the City has approximately \$200,000.00 available to begin a curb and gutter project. She questioned whether the City Council wanted to proceed with design of the project. If the grant funding materializes, the City would be eligible for reimbursement of 50% of the engineering costs.

Tim Teig, of Snyder and Associates, Inc., reported that Dave Sturm, an engineer with the firm, had previously viewed the area and provided the City with an estimate for the proposed curb and gutter project. Mayor Larsen felt that an engineering design would give the City Council an idea of what could be done to alleviate the drainage problem on Ron Hansen's property. Teig stated the once the design has been completed, the Council would have the ability to choose portions of the design based on available funding. Teig also clarified that when talking about stormsewer issues, it is advantageous to start construction at the lower end. Mayor Larsen recommended that the City Council take the necessary steps to arrange for engineering services for a Walnut Street Curb and Gutter Project.

Motion by Tooley, seconded by Shepherd to request an engineering contract from Snyder and Associates, Inc. for engineering services for a Walnut Street Curb and Gutter Project. Ayes: True, Zimmerman, Tooley, Shepherd. Carried.

Carol Rosenbaum, Shannon Wood, and Robin Tooley, members of the Walnut Splash Pad Committee, were present at the Council meeting to provide an update on the project. The Council members were provided with a breakdown of funding that has been raised for the project. According to the tabulation, \$185,704.84 is available for the \$200,000.00 project, which leaves a deficit of \$14,295.16. The majority of the funding, \$180,000.00, was comprised of the following contributors: Iowa West Foundation, \$50,000.00; Peter Kiewit Foundation, \$15,000.00; Pottawattamie County Board of Supervisors, \$25,000.00; and the City of Walnut, \$90,000.00. Abel indicated that there are additional grant applications that have been submitted, and she hoped that possibly additional grant funding on behalf of the project will be received. The City has begun to receive brick funding; there has been a great deal of interest shown by community members for the purchase of bricks for the walkway to the splash pad. Abel anticipated that the project is actually \$13,000.00 short of its goal because an additional pledge and two more bricks have been sold. She stated that the Splash Pad Committee wanted to make certain that the City Council was apprised of the funding that has been received and whether it was ready to make a commitment to proceed with the project.

Shepherd was somewhat hesitant about following through with the project until all funding was committed. Carol Rosenbaum indicated that the Committee would like to make arrangements to begin working with an engineer; she noted that there is enough available funding to proceed with the engineering services. Rosenbaum was also confident that the additional funding will be raised.

Tim Teig indicated that Snyder and Associates would certainly be interested in providing the engineering services for the splash pad project. He reported that the firm has a fair amount of experience with various types of water features. Teig stated that he had recently provided the City with information pertaining to the firm's experience, and Tim reiterated that he would like to continue to be involved with the community and with the splash pad.

Abel reminded the Council members that the \$200,000.00 budget figure was intentionally set high. It is possible that once bids are received, the project could cost less than the projected budget amount. Carol reported that Vortex, one of the suppliers of splash pad features, will take a raise in price in October of 2010, so it would be advantageous to place an order prior to the increase in price.

Tim Teig stated that everything that Snyder and Associates has been bidding has been quite competitive. He felt that the timing for the splash pad project is good. Teig indicated that it might be difficult to utilize volunteer labor for the project because of the competitive bidding process. That does not mean, however, that a sub-contractor might submit a lower bid because he is donating part of his labor. Teig indicated that the project will have to be specified and bid as a package. It would be possible to bid alternates to pick and choose in order to match funding availability.

Abel reported that the \$15,000.00 grant from the Kiewit Foundation has to be the last \$15,000.00 spent on the project based on the project budget that was submitted with the grant. By bidding alternates, it would be possible to choose various features in order to match funding.

Motion by Shepherd, seconded by Tooley to start looking at engineering services for the Splash Pad Project. Discussion followed.

Mayor Larsen asked for clarification of Shepherd's motion. Abel indicated that there are various methods that could be used to select an engineer. Tim Teig reminded the Council members and the members of the Splash Pad Committee that Snyder and Associates is nearby and engineers would be readily available to help whenever needed. He stated that Dave Sturm has had experience in designing a splash pad for Lake View, Iowa, and Sturm would be willing to meet with the committee. Teig also stated that there are landscape architects at Snyder's Ankeny office who are experienced with similar projects; the architects would lend their expertise to the project. The actual project would be handled out of the Atlantic office, however. Zimmerman suggested that the Splash Pad Committee meet with engineering firms with the goal of making a recommendation for engineering services to the City Council. The Council members concurred with Zimmerman's recommendation, and Shepherd rescinded her motion. Mayor Larsen stated that the City Council would look forward to receiving a proposal from the Splash Pad Committee at the next meeting.

Relative to discussion of the Eagle Monument Project, Abel reported that there has been a great deal of interest shown for the purchase of bricks for the project. The Committee has chosen the type of brick that will be used. It has been quite conscientious about staying within the estimated budget for the project. Shannon Wood reported that the Committee had considered making the plaza smaller in an attempt to save money; however, the decision was made to take bids for the original design. If the bids are too high, it might become necessary to reduce the size of the plaza. The Committee will begin to meet more often as details of the project are finalized.

The Council members were provided with a draft agreement with Snyder and Associates for engineering services for the project. The agreement, with total estimated fees of \$13,750.00, included a breakdown for topographic survey and design services, bid services, and construction services. Tim Teig explained some of the specifics of the Engineering Services Agreement for the benefit of the Council members. A copy of the document is on file in City Hall. The cost of engineering services was included in the overall budget for the project.

Motion by Tooley, seconded by True to execute an Engineering Services Agreement in the amount of \$13,750.00 with Snyder and Associates, Inc. for engineering services for the Eagle Monument Project. Ayes: Zimmerman, Tooley, Shepherd, True. Carried.

Relative to Fire Department discussion, Tooley discussed firefighter physicals. Fire Chief Justen Tooley had made arrangements for the members of the Fire Department to have their physicals performed at Myrtue Medical Center in Harlan. A chance arose for the firefighters to receive their physicals from a private company at a lower cost. The members of the Fire Department had made the decision to continue to receive their physicals in Harlan for several reasons, including the flexibility of scheduling their appointments. Tooley questioned whether the decision of the Fire Department needed to be approved by the City Council. After a brief discussion, the Council members felt that if any decision is actually needed, the decision should be made by the Fire Board. In any event, five firefighters have been scheduled to receive their physicals during the current fiscal year.

No one was present at the Council meeting to request the City's financial participation in the replacement of residential sidewalk. The Council members had approved the continuation of a Residential Sidewalk Program, not to exceed a cost of \$5,000.00 per fiscal year. The program is on a first-come first-served basis, and property owners must appear before the City Council to participate in the program. After the completed sidewalk has been inspected by the City Superintendent, the City will reimburse property owners for sidewalk replacement at \$5.00 per running foot.

Cheryl True presented the Council members with information regarding a Back Alley Barn Quilt Project. Kathy Humann and Cheryl True are the committee members for the project. The Council members reviewed the information, which will be distributed to all of the downtown business owners. According to the information, the committee will be offering the owners the opportunity to display a back alley barn quilt

block to the alley side of their buildings. The committee will be making the blocks in a 4' x 4' size. The City will be supplying the materials, but the labor cost, estimated at \$50 to \$60, will be the responsibility of the merchants. The individual merchants would also be responsible to attach the quilt blocks to their buildings. The quilt blocks will become the property of the individual business owners. The City had allocated \$2,000.00 in the upcoming budget on behalf of the project.

True reported that two barn quilts have been completed, and there has been a great deal of interest shown for the project by the business owners. A sample of the barn quilts was available at the meeting for the Council's review.

Kathy Humann asked for the Council's support of the project and approval of the information that will be distributed to the businesses. She explained that the barn quilts will be available to the merchants on a first-come first-served basis. True noted that it is not the goal of the committee to have quilts on every building in the Business District. Humann further noted that the blocks will be uniform in size. The Bear Trap's quilt block will be painted directly onto the side of the building; the owner is planning to personally complete the work.

It was the consensus of the Council that it is in full support of the project; the Council members endorsed the efforts of the committee members to beautify the community.

Relative to discussion of the possible development of a new City website, True reported that the committee had received four proposals for the project; all of the proposals were comparable in pricing. She stated that the committee would like to recommend the services of Municipal CMS by Tower Innovations. Kathy Humann said that the company specializes in the development of City websites, which was especially attractive to City staff. Shannon Wood noted that there was only approximately \$50.00 difference in the yearly cost of the two preferred website vendors. True reported that the fee to develop the site would amount to \$2,795.00, with an annual hosting fee of \$800.00 after the first year. The fee included a complimentary design update every two years. Abel indicated that the cost of the website would probably be paid through the budget allocation for economic development.

Mayor Larsen recommended that the City spend the associated fees for the development of a new website. He felt that it would be money well spent to promote the community to visitors as well as to provide more ease for Walnut citizens to become more familiar with City functions. Mayor Larsen also reported that selected individuals will be able to be administrators for various pages of the website, which will help to keep the site fresh and current.

Abel stated that the site will also automatically generate emails to visitors or residents who have shown an interest in various community events or City projects.

Motion by Shepherd, seconded by True to begin the development of a new City website per the recommendation of the committee. Ayes: Tooley, Zimmerman, Shepherd, True. Carried.

Several people were present at the Council meeting to listen and take part in the discussion regarding junk vehicles and demolition derby cars. The Council members were provided with a copy of the City's junk vehicle ordinance. According to the City's ordinance, the provisions of the junk vehicle ordinance do not apply to two or fewer demolition derby cars per property, as long as the cars are stored under a non-transparent cover adequate to cover the vehicles and all parts.

The Council members were also provided with a synopsis of telephone calls that were made to neighboring communities concerning demolition derby cars. Calls had been made to Shelby, Avoca, Minden, Carson, Neola, Oakland, Treynor, and Elk Horn. The only community that had encountered any problems with demolition derby cars was Avoca. According to the City Manager of Avoca, the City has actively been enforcing its junk vehicle ordinance. Avoca does not allow demolition derby cars unless the cars are stored in buildings.

Both True and Mayor Larsen made comments concerning the possibility that the Council might change the junk vehicle ordinance to make it more restrictive. Mayor Larsen stated that the City Council is not making residents get rid of demolition derby cars yet; however, there have been complaints about vehicles being parked in yards. Larsen explained that the residents of Walnut have more freedom than is allowed in larger neighboring communities. However, along with those freedoms comes responsibility by the citizens to get along with others. Larsen said that when citizens abuse a freedom by causing a nuisance, an eyesore, or a hazard, citizens complain and

request that the City Council adopt new ordinances to further limit the freedoms. The Mayor reiterated that Avoca requires that people store and work on demolition derby cars in a building. Gene commented that hobbies are great; however, residents have to get along with their neighbors and the rest of society when working on their hobbies. According to Larsen, freedoms can be lost if they are abused.

Zimmerman stated that he has received a number of complaints concerning junk vehicles and people racing vehicle engines late into the evening. Jodi Wood questioned the specifications of the City's noise ordinance. The noise ordinance was reviewed; the ordinance itself does not specify any particular hours of the day. According to the ordinance, no person shall make loud and raucous noise in the vicinity of any residence or public building which causes unreasonable distress to the occupants thereof. Larsen noted that residents invite a visit from law enforcement if they are causing loud noise or a nuisance that disrupts the peace of the neighborhood, at any time of the day or night. The Mayor recommended that residents who are working on demolition derby cars should go about their hobby using good sense and make certain that they do not disturb their neighbors. Larsen stated that presently the City does not have an ordinance that requires that residents work on demolition derby cars within the confines of a building, but it could come to that if need be. Gene reiterated that residents in Walnut have freedoms that they would not have in Atlantic, Avoca, or many other neighboring communities; in some cities, you cannot even have a car hood open on a City street. According to Larsen, if people in Walnut abuse those freedoms, the City Council will be forced to adopt new, more restrictive ordinances.

Shepherd suggested that the City Council wait another month before considering any new ordinances, especially since many people who work on demolition derby cars had been present at the meeting to hear the views of the Council. Jodi Wood commented that there will always be complaints about the appearance and the noise generated from working on demo cars. Tooley stated that all residents in the community have to co-exist. Darren urged everyone to make the community presentable, especially for the upcoming Antique Walk. He also urged those present to be respectful of their neighbors when working on their hobby. True reported that she has heard a lot of complaints about the demo cars and the noise not only from citizens, but also from visitors to the community.

Shepherd urged the people who work on demo cars to be respectful of their neighbors and to cover their vehicles when they are not working on them. She felt that since all those present were aware of the complaints, the City Council should give the issue thirty days before considering any action. Shepherd felt that 10:00 p.m. would be a good time to quit working on vehicles.

On a final note, Mayor Larsen commented that the problem is seasonal in nature. He hoped that the demolition cars will be put out of sight once the derby event is over.

Relative to discussion of law enforcement, the Council members reviewed the proposed Pottawattamie County contract for law enforcement services. The City's cost for the basic contract amounted to \$17.50 per capita, an annual sum of \$15,347.50, based on the City's 2000 census figure of 877. The per capita cost for the proposed contract was the same as the per capita cost in the City's current contract. The cost of additional daily coverage remained at \$8,760.00 per hour for the proposed contract. Currently, the City is not contracted for any additional hours of guaranteed police protection.

Motion by Tooley, seconded by Shepherd to approve the basic Law Enforcement Services Contract with the Pottawattamie County Sheriff's Department at an annual cost of \$15,347.50 or \$17.50 per capita. The contract will become effective on July 1, 2010; the contract will not include any additional hours of guaranteed police coverage.

Discussion followed.

True questioned what could be done about the speeding that has been occurring in the community, specifically on Antique City Drive through the Business District. Zimmerman said that the police contract specifically states that the services include radar operations to control speed. Zimmerman also stated that the contract allows the City to request speed patrol in specific areas of the community, as needed. Mayor Larsen suggested that the City request that Pottawattamie County periodically set up a speed indicator sign; the Council members briefly discussed Larsen's suggestion. Tony felt that most of the problem is encountered from vehicles traveling from the south to the north, entering Antique City Drive from Highway 83. There was a brief discussion concerning the possibility of installing additional stop signs to slow down thru traffic, including the

pros and cons of installing additional stop signs at the intersection of Pearl Street and Highway 83 and at the intersection of Highland Street and Antique City Drive.

Tooley commented that there is also a problem on North Street with speeding vehicles and drivers who do not stop at the stop sign that is situated near the entrance to the west ball field. Tooley felt that the problems in the community will continue until the City Council takes action to rectify the situation.

The Council members also discussed the speed limits in various locations of the community. Even though some of the Council members felt that the speed limits were too low in some areas, no Council action was taken to make any changes.

The decision was made to request that the Pottawattamie County Sheriff's Department make a concerted effort to enforce the traffic laws in the community, including speed patrol, vehicles with loud mufflers, and stop sign enforcement. Special attention is to be given to Antique City Drive and North Street.

With no further discussion, a vote was taken on Tooley's motion.

Ayes: Shepherd, Tooley, Zimmerman, True. Carried.

The Council members had previously discussed the need to amend the FY 2009-2010 budget by \$40,000.00 in the program of Public Safety. It appears that the original budget for the function will be overspent. In order to spend more than what is allocated in any of the nine functions, it is necessary to amend the current budget. The \$40,000.00 budget in the program of Public Safety was necessary because of additional fire-related expenses.

Mayor Larsen requested any written or oral comments regarding a budget amendment for the FY 2009-2010 budget. There were no written or oral comments received by the Council. Mayor Larsen, therefore, closed the public hearing.

Motion by Tooley, seconded by Zimmerman to adopt Resolution 10-05-01, A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2010. Ayes: True, Zimmerman, Tooley, Shepherd. Carried.

It was reported that the Walnut Optimist Club's Antique City Car Show is scheduled to be held on Sunday, August 1, 2010. The organization had requested permission to close Antique City Drive from Highland Street to North Street and the affected side streets as has been customary in the past.

Motion by Tooley, seconded by Zimmerman to close the affected streets as customary in the past for the Antique City Car Show. The Antique City Car Show is scheduled for Sunday, August 1, 2010; the Walnut Optimist Club is sponsoring the event. Ayes: Zimmerman, True, Shepherd, Tooley. Carried.

There was no further discussion of the curb and gutter project.

There was no discussion of the Water Treatment System Improvements Project.

Motion by Tooley, seconded by Zimmerman to adopt Resolution 10-05-02, A RESOLUTION TRANSFERRING FUNDS FROM THE LOCAL OPTION CAPITAL IMPROVEMENTS FUND TO THE STREET IMPROVEMENT CAPITAL PROJECTS FUND. Ayes: Shepherd, True, Tooley, Zimmerman. Carried.

The Council members were provided with information pertinent to the Iowa Waste Systems Association 2010 Comprehensive Plan Update. The Code of Iowa requires that every city and county in the state must provide for the establishment and operation of a comprehensive solid waste reduction program. The Council members reviewed a draft resolution that would satisfy the City's statutory duties to update the existing solid waste comprehensive plan.

Motion by Zimmerman, seconded by True to adopt Resolution 10-05-03, A RESOLUTION APPROVING THE IOWA WASTE SYSTEMS ASSOCIATION 2010 SOLID WASTE COMPREHENSIVE PLAN UPDATE. Ayes: Shepherd, True, Zimmerman, Tooley. Carried.

Relative to discussion of City maintenance, Blum reported that the City men are planning to flush fire hydrants within the near future.

Blum reported that he has a list of six properties that have not yet been mowed. According to the City Code of ordinances, grass growing in the City limits shall be cut on a periodic basis so that the height of the grass is never greater than eight inches. Also according to the ordinance, any landowner who violates the ordinance will be given one notice per calendar year, and the City will be authorized to respond to additional violations without additional written notice being given.

Motion by Shepherd, seconded by Zimmerman to send abate of nuisance letters for tall grass to the owners of six properties. The properties are located at 409 Atlantic Street, 600 Atlantic Street, 221 Koeppel Street, 302-308 Atlantic Street, 601 Country

Street, and a vacant lot on North Street. Ayes: Tooley, Zimmerman, True, Shepherd. Carried.

Regarding Mayor items and announcements, Mayor Larsen reported that, according to the City ordinances, the City is obligated to take care of one of the trees that is located in the City-owned right-of-way in front of 402 Antique City Drive. According to the Code, the City is responsible to treat or remove any dead, diseased, or damaged trees on public property, including right-of-way. One of the elm trees in front of 402 Antique City Drive should be removed, and the other large elm tree needs to be trimmed or topped. Larsen stated that he had discussed the situation with the owner of the property; the property owner is willing to pay one-half of the cost to remove both trees. Two bids were received for the work. Midwest Tree Service submitted the lower of the two bids, which amounted to \$1,700.00 to remove and haul away both trees. With the owner willing to pay 50% of the cost, the City's portion to remove the two trees would amount to \$850.00. Gene recommended that the City approve one-half of the cost to fell and remove the two trees. Both Larsen and Blum felt that one of the trees is dangerous and should be removed. Blum reminded the Council members that the City is not financially responsible to trim trees.

Motion by Shepherd, seconded by Zimmerman to pay \$850.00, which is 50% of the bill, to remove two trees that are located in the City-owned right-of-way in front of 402 Antique City Drive. Ayes: True, Shepherd, Tooley, Zimmerman. Carried.

Relative to Council items or announcements, True reported that she had investigated the condition of the City-owned murals that are located at various locations in the community. A framing board on the mural in front of the Wayne Wheatley property has warped and needs to be replaced. The frames on all of the murals need to be coated with a sealant to preserve the boards. Jim felt that the City men would be able to refurbish the frames. He indicated that he would call Rick Dolphens if he had any questions concerning the repair of the frames.

The Council members were invited to attend a visioning workshop, which will be held in the WIDA office on Thursday, May 13, 2010 at 6:30 p.m. The workshop will be sponsored by the Metropolitan Area Planning Agency.

The Council members were provided with information concerning upcoming seminars regarding the management of infrastructure. The seminars are being sponsored by the Midwest Assistance Program, MAPA, and Swipco.

The Iowa Water Pollution Control Association will hold an informational workshop on Wednesday, June 2, 2010 at the Gateway Conference Center in Ames. The workshop will discuss Iowa water quality issues and the impact that the new rules will have on sanitary sewer systems.

A workshop sponsored by the Iowa League of Cities will be held in Anita, Iowa on Tuesday, June 8, 2010 from 5:30 p.m. until 8:00 p.m. The workshop will deal with small city economic development and City Council and staff relationships.

The Council members were directed to contact Abel if they are interested in attending any of the training opportunities.

The Council members were provided with a copy of a letter from Our Iowa Magazine concerning a Burma-Shave restoration program. The City had submitted an application for the signs. According to the letter, the magazine will select the locations for the signs sometime after June 1, 2010.

Regarding public items or announcements, Carol Rosenbaum commented that she was quite pleased with the way that the Mayor handled the meeting, particularly the discussion concerning the demolition derby cars.

Motion by Zimmerman, seconded by Shepherd to pay the following bills and issue warrants for the same. Ayes: True, Shepherd, Zimmerman, Tooley. Carried.

#16512 Terri Abel, wages	1,097.60
#16513 James Blum, wages	1,071.02
#16514 Elvis Rush, wages	854.07
#16515 Shannon Wood, wages	329.95
#16516 Tremel Nursery Inc., trees in front of Walnut Community School	1,152.00
#16517 Wellmark Blue Cross Blue Shield, employee insurance	5,883.38
#16518 Terri Abel, wages	1,097.60
#16519 James Blum, wages	1,071.02
#16520 Wayne Rush, wages	854.07
#16521 Shannon Wood, wages	307.34
#16522 Herb Wood, hauling; general pickup; recycling fees; dumpster rent	3,510.00

#16523	U.S. Postmaster, billing postage	108.92
#16524	Terri Abel, wages	709.09
#16525	James Blum, wages	138.23
#16526	Margo Matthies, wages	1,155.13
#16527	Wayne Rush, wages	275.73
#16528	Michelle Tooley, wages	513.85
#16529	Akin Building Centers, alley beautification project	44.99
#16530	Andrea Miller, refund of water deposit	50.00
#16531	Atlantic Motor Supply, socket set; pickup repair	163.24
#16532	Avoca Auto Parts, air compressor repair	90.77
#16533	Avoca Building Material Center, fire station maintenance	595.45
#16534	Benefit Services Plus Administrators, employee insurance	111.45
#16535	Betsy Ross of Lincoln Avenue, flags	453.20
#16536	Walnut Boy Scouts, April park mowing	125.00
#16537	Business Forms & Accounting, order checks	207.61
#16538	Cappel's, tractor repair	54.78
#16539	Carley Drug Co., ship sewer and water samples	35.37
#16540	Center Point Large Print, books	40.14
#16541	Central Iowa Distributing, Inc., roll towels; toilet paper	144.05
#16542	City of Atlantic, sewer testing	530.00
#16543	City of Walnut, water deposit applied to account	32.52
#16544	Counsel Office & Document, copier maintenance	112.21
#16545	Dona Grooms, Treasurer fee	100.00
#16546	Ed M. Feld Equipment Co., Inc., fire extinguisher inspection	112.00
#16547	Ed's Lawn Equipment, chain saw repair	19.75
#16548	Internal Revenue Service, Federal withholdings	862.68
#16549	Gary Nash, sign lease payment	200.00
#16550	Hach Company, water testing chemicals	1,216.71
#16551	Hawkins, Inc., water chemicals	1,007.76
#16552	Hygienic Laboratory, water testing	33.00
#16553	IPERS, withholdings	1,655.55
#16554	Jessica Newcomb, cleaning City Hall	50.00
#16555	Jim Tooley, building permit fees; mileage	54.00
#16556	Judy Schrecengost, Library contract work	88.00
#16557	Kasperbauer Cleaners, Inc., shop towels; cleaning floor mats	142.39
#16558	Kum & Go, fuel	732.80
#16559	Laura Rowen, refund of water deposit	17.48
#16560	Liberty Auto Restoration, Inc., quick attack repair	179.92
#16561	Margo Matthies, mileage; supplies; DVD's	227.63
#16562	McDermott & Son Roofing Co., Library roof repair	900.00
#16563	Internal Revenue Service, Medicare withholdings	438.44
#16564	MidAmerican Energy Co., gas & electricity	3,656.47
#16565	Myrtue Medical Center, ambulance supplies	99.15
#16566	Nick Hoffmann, reimbursement for projector	1,102.08
#16567	Penworthy, books	106.14
#16568	Perfection Learning, books	179.46
#16569	Pottawattamie County Secondary Roads, salt & sand	1,660.71
#16570	Pottawattamie County Treasurer, landfill fees	3,899.00
#16571	Quill Corporation, supplies	337.20
#16572	Racom Corporation, radio repair	17.80
#16573	Sam's Club, supplies; DVD's; books	267.99
#16574	Schildberg Construction Co., stone	371.00
#16575	Siever's Plumbing Corp., curb stop extensions	33.06
#16576	Smart Apple Media, books	89.75
#16577	Internal Revenue Service, Social Security withholdings	1,874.74
#16578	Sta-Bilt Construction Co., super patch	509.60
#16579	Technical Maintenance Service, 2 VFD's	9,680.00
#16580	Terri Abel, mileage	35.00
#16581	U.S. Postmaster, postage	176.00
#16582	Upbeat Inc., cigarette urn	234.54
#16583	Verizon Wireless, cell phones	151.72
#16584	Walnut Creek Fertilizer, herbicide	43.75

#16585 Walnut Telephone Co., phone; fax; Internet 235.06

Summary of Receipts: General, 55,836.84; Mun. Ent., 900.00; Road Use Tax, 6,084.88; Trust and Agency, 19,038.91; Water, 7,965.65; Sewer, 2,333.31; Local Option Capital Improvements Fund, 6,355.13; Eagle Monument Project Fund, 1,600.00; Splash Pad Project Fund, 2,600.00; Water Revenue Bond Sinking Fund, 1,650.00; Customer Water Deposit, 100.00; TIF Fund, 25,551.66; Ransom Subfund, 6,716.03; IPAIT Fire Account, 45.11; IPAIT Library Account, 3.86; TOTAL: 136,781.38.

Meeting adjourned, 6:55 p.m.

Gene Larsen
Mayor

Terri L. Abel
City Clerk