

CITY COUNCIL PROCEEDINGS

June 2, 2011

The City Council met at 5:00 p.m. in regular session with Mayor Pro-Tem Tony Zimmerman presiding. Council present: True, Humann, Shepherd, Tooley, and Zimmerman who was acting as chair.

Guests in attendance: Rick Blum, Dave Sturm, Izetta Dierking, Angie Mitchell, Jon Mitchell, Justen Tooley, Sheriff Jeff Danker, Ron Hamilton, Gwen Blum, Suzanne Reid, and the following boys representing Walnut Boy Scout Troop #95, Shea Campbell, Taylor Campbell, Jacob Peterson, Carsen Smith, Jacob Harris, Brady Schuluter, Tim Reid, and Dylan Reid.

City staff in attendance: Jim Blum and Terri Abel.

Mayor Pro-Tem Zimmerman opened the public hearing on the proposed plans and specifications, form of contract, and probable cost of the construction of Walnut Street Improvements – Walnut, Iowa.

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

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

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

Sheriff Jeff Danker was present at the Council meeting to discuss law enforcement concerns and to address any questions. Sheriff Danker reported that, in the past, it was policy for a deputy to attend each monthly City Council meeting, schedule allowing. The practice had since been discontinued. Danker noted that he reviews all police reports each morning, so he is aware of the calls that had been made to Walnut. He indicated that the deputies had focused their efforts on speed patrol when requested by the City, especially vehicles traveling northbound into the community. Danker stated that the deputies check businesses, and Pottawattamie County provides extra patrol when requested.

Humann stated that speeding has continued to be a problem throughout the community, not just vehicles entering the community from the south. She stated that there is a huge problem with speeding the entire length of Antique City Drive. True indicated that trucks oftentimes travel down Antique City Drive while avoiding the scales on I-80; many of the trucks routinely break the speed limit. According to Humann and True, there did not seem to be any hours of the day that speeding is more prevalent. Shepherd questioned whether it would be possible to place a speed trailer in the community so that drivers have the opportunity to monitor their speed. Sheriff Danker stated that he would check with the engineer's office to determine whether such a device is available. If a speed trailer is available, the Sheriff's Department would be willing to place it in Walnut. Shepherd also briefly discussed the 20 mph speed limit sign that is located on Highway 83 at the south entrance to the community. The sign is undersized, and Mayor Larsen has planned to discuss the matter with the Department of Transportation. Shepherd felt that the sign should be changed as soon as possible as to not be construed as a speed trap. Both Humann and True agreed that drivers should be well aware that they have to slow their vehicles before entering the Business District, whether or not the speed sign is undersized. Danker stated that deputies will concentrate more effort on speed enforcement on a regular basis as to get the attention of drivers traveling high rates of speed through the community.

Abel indicated that there are problems with vehicles not stopping at the stop sign in front of the bank, and Jon Mitchell made a comment about vehicles exiting the Interstate ramps without stopping.

Tooley stated that the stop sign at North Street and Oak Street is also an area of concern because drivers often do not obey the sign.

Tooley complained about a 40-minute deputy response time for a recent call concerning young children riding a motorized vehicle through the stop sign at North Street and Oak Street. When the deputy arrived, he told Tooley that he could not issue a citation without witnessing the offense. Sheriff Danker stated that the deputy was not correct. Danker stated that if a citizen witnesses someone driving without a license or not stopping at a stop sign, the deputy can issue a citation. However, if the violator wants to

fight the citation in court, the witness would have to be willing to testify. The same would hold true of property damage. The deputies can cite juveniles into court based on a witness seeing the property damage. Any restitution for the damage, however, would rely on the judicial system.

Danker urged the City to call the Sheriff's Office immediately if there are issues with slow response time or deputies not following through with citations. Jeff stated that the majority of the deputies are quite conscientious, but unfortunately there are occasionally problems with less motivated deputies. Contacts at the Sheriff's Department include Lt. Pat McGinn, who oversees the uniformed deputies, the Chief Deputy, or Sheriff Danker. Danker stated that if there is a disturbance call, the deputies should be able to either issue a citation or arrest the violator if a law has been broken. Jeff said that the Pottawattamie County Sheriff's Office wants to make sure that the laws are enforced in Walnut. Sheriff Danker stated that each deputy should have a copy of the City's Code of Ordinances; however, he said that he would contact Lt. McGinn to make certain that there is a code in each vehicle. Abel said that she would send new code sections to Sheriff Danker for incorporation into his Code book.

Sheriff Danker briefly commented on the pros and cons of automated speed control systems, which have been proven to be somewhat controversial. Essentially, the systems have resulted in fewer accidents, fewer speeders, and the generation of large amounts of revenue from speed citations.

Danker urged the City to communicate with the Sheriff's Office whenever there are any questions or concerns. He noted that it would be possible for a deputy to attend Council meetings if desired by the City Council. Shepherd suggested that Sheriff Danker make arrangements to place the speed trailer in Walnut if possible. She also suggested that a deputy attend the next two City Council meetings to discuss law enforcement concerns. The Council members instructed Danker to continue the department's efforts with speed enforcement. Danker stated that he would follow-up on the possibility of obtaining the speed trailer, and he would comply with the Council's request for a deputy to attend the next two City Council meetings. On a final note, Danker once again urged the City to keep the lines of communication open with the Sheriff's Department.

Dave Sturm, representing Snyder and Associates, Inc., was present at the Council meeting to discuss the proposed Walnut Street Curb and Gutter Project.

Mayor Pro-Tem Zimmerman requested any written or oral comments regarding the proposed plans and specifications, form of contract and probable cost of the construction of Walnut Street Improvements – Walnut, Iowa. There were no written or oral comments received by the Council. Mayor Pro-Tem Zimmerman closed the public hearing.

Sturm reported that the City had received three bids for the proposed project, and he distributed a detailed bid tabulation for the benefit of the Council. McCarthy Trenching, LLC of Avoca, Iowa submitted the low bid of \$307,762.65. Other bidders included Carley Construction, LLC of Treynor, Iowa at \$313,264.75, and Concrete Technologies, Inc. of Urbandale, Iowa at \$392,809.00. The low bid was well under the engineer's estimate of \$336,838.00.

The project would be completed during this construction season; the City will notify the affected residents as the project materializes.

Motion by Tooley, seconded by True to adopt Resolution 11-06-01, A RESOLUTION APPROVING PLANS, SPECIFICATIONS AND FORM OF CONTRACT. Ayes: Shepherd, Zimmerman, Tooley, True, Humann. Carried.

The Council members reviewed a proposed resolution, which would award a contract in the sum of \$307,762.65 for the Walnut Street Curb and Gutter Project to McCarthy Trenching, LLC, of Avoca, Iowa.

Motion by Shepherd, seconded by Humann to adopt Resolution 11-06-02, A RESOLUTION MAKING AWARD OF CONTRACT. Ayes: Humann, Tooley, True, Zimmerman, Shepherd. Carried.

Rick Blum, Gwen Blum, Angie Mitchell, and Jon Mitchell were present at the Council meeting to discuss park issues, specifically a request from the Friends of WCS to pave a service road around the north side of the football field at the park. Gwen Blum clarified that the request was also being made by the athletic director of the school so that the coaches can more easily access their equipment. An email had previously been sent by Rick Blum to the Mayor and the members of the City Council further explaining the request. A copy of the email is on file in City Hall.

Rick stated that he had recently needed access to the west concession stand by pickup so that he could build shelves. He explained that there are other instances when the gator is either not available for access to the concession stand or not practical. Gwen said that she does not like to transport food between the two stands using the gator, which is always dirty or muddy from the preparation of the ball fields. According to Gwen Blum, the use of the gator is often inconvenient and time-prohibitive. Rick, speaking for Jon and Angie Mitchell, expressed their concern for emergency access to the softball field. Angie stated that spectators often walk between the two fields on the north side of the football field; she stated that there was an instance last year that a spectator actually fell down because the area was extremely muddy, which posed a definite safety issue.

Shepherd questioned whether there would be an affect on drainage should the decision be made to surface the service road. She noted that there is already a drainage problem at the park because the entire park is extremely flat. Rick distributed a photograph of the parking area by the softball field, which was extremely muddy. He also suggested the installation of gravel parking at the softball field. Rick noted that there is a set of bleachers that sits in water a great deal of the time when the weather is rainy. He felt that there were many areas of the park that could be improved in appearance without a great deal of expense.

The Blums and the Mitchells agreed that a service road between the two concession stands should not be accessible to anyone other than authorized individuals, including the people who stock the concession stands, the softball coach, and the Fire Department. Rick Blum felt that a gate would be an easy way to resolve unauthorized individuals from driving between the stands. He noted that there are two such gates on School Street that are not being used. Tooley commented that cars should not be allowed at the west concession stand during games because many individuals walk between the two fields. Tooley felt that gravel surfacing would keep the area from becoming muddy, and gated access with a limited number of keys would control the number of vehicles using the road.

Jim Blum agreed that when the area north of the football field is muddy, it is a hazard; however, the area is only muddy because vehicles have driven between the fields when it is wet, causing ruts where water pools. Jim stated that he had placed a concrete barrier specifically to keep vehicles from driving between the two fields, as he was instructed. He removed the concrete barrier and replaced it with a concrete planter, which was promptly moved by individuals wanting to access the stand. According to Jim, two vehicles were parked at the west concession stand during a recent game on the softball field, which he considered a safety issue. Abel commented that problems arise when barriers are moved, unauthorized vehicles drive between the concession stands, and rules are disregarded.

The pros and cons of surfacing and gating a service road were discussed, including drainage. If the City were to install gravel, it would be necessary to provide a walking area outside of the gate. Abel stated that whatever solution is reached regarding the request to surface a service road, there have to be rules to govern the use of the road, the rules have to be respected, and there has to be strict control of the distribution of keys to any gate that would be installed. Gwen said that she would not have a problem telling people to move their vehicles or controlling access to a service road.

Rick Blum again referred to the need for gravel in the parking areas at both ball fields.

If money were to be an issue in graveling a service road, Rick Blum indicated that the Friends group would be willing to contribute. Tooley felt that gravel would be a City expense; however, there were no estimated costs available for such a project. Tooley estimated that two trucks of gravel would be needed at an estimated cost of \$600.00, and he commented that perhaps it would be possible to obtain a gate from the school. Tooley volunteered to contact the school to determine whether it would be possible to obtain one of the unused gates that are located on School Street.

Tooley felt that the gravel in the parking areas could be discussed at a later time. He commented that perhaps it would be possible to tile the parking area at the softball field to ultimately drain into the wetlands area, for example.

Motion by Tooley, seconded by True to gravel and install a gate on a service road on the north side of the park to connect the two concession stands; the cost of the project is not to exceed \$2,000.00. All gate keys will be controlled by City Hall. Ayes: Zimmerman, Tooley, True, Humann. Nays: Shepherd. Carried.

The decision was made to provide a gate key to the Fire Department, Gwen Blum, Michelle Tooley, and the high school softball coach.

Gwen Blum reported that the west concession stand was recently broken into. She indicated that she would like for a dead bolt to be installed on the stand, and she questioned whether it was the school's or the City's responsibility to install the lock. Jim Blum stated that he would be willing to install a dead bolt on the west concession stand as long as the lock is keyed the same as the dead bolt on the east concession stand. Jim stated that he would also attempt to key the two bottom locks on each concession stand the same. If the plan is successful, the same key would open the dead bolts on both concession stands and a second key would open the bottom locks on both concession stands.

The meeting was recessed at this time for a short break.

A lengthy discussion followed concerning employee health insurance. Ron Hamilton was present at the Council meeting. He explained that he had previously met with the City employees and the Council committee of Shepherd and True to come to a consensus regarding proposed changes to the full-time City employees' benefit package. Hamilton prefaced the discussion by stating that the current health insurance plan rose approximately 15% in premium cost, which resulted in discussion of possible changes to the employees' benefit package. Hamilton explained that several years ago, the City had started a partially self-funded account; the account was managed in-house. At that time, the City employees sacrificed benefits to create the account. Currently, there is approximately \$13,000.00 in the account, which equates to the premium savings that the City has realized by increasing the deductible on the employees' health insurance coverage. Hamilton proposed that the City use the services of a third-party administrator to manage a self-funded health insurance plan. Currently the deductible on the City's plan is \$750.00; the proposed plan would raise the deductible to \$2,500.00/\$5,000.00; the proposal would realize an annual premium savings of \$15,545.00. Hamilton explained that the increase in the deductible would place a substantial burden on the employees. The third-party administrator, Employee Benefit Systems (EBS), would handle the record keeping associated with the self-funded account. EBS would charge \$75.00 per month to manage the City's partial self-funded plan. Hamilton provided the Council members with an illustration of how health claims are processed. Ron reviewed a single payment analysis for the benefit of the Council members. The self-funded plan would help to maintain the employees' benefits while realizing a premium savings.

Hamilton explained that a provider would send a claim to Wellmark. Wellmark would process the claim as a \$2,500.00 deductible and would then send the claim to EBS. The employee would be required to pay the provider; the employee would actually receive a check from EBS. The premium savings would be deposited into the self-funded account; the money in the account would be used to pay the employees. The liability to the City would be \$3,500.00 per employee or \$7,000.00 in a family situation. Because one of the employee's spouses has primary insurance elsewhere, the potential annual liability to the City would amount to \$17,500.00. Ron reiterated that the annual premium savings would equate to \$15,545.00.

Ron stated that the reason that companies are considering self-funding is because the premiums for health insurance continue to increase. The self-funding concept would help to manage health care risk. Hamilton also stated that the City employees were willing to discuss lowering their benefits in other areas including vision and dental coverage. Ron indicated that the employees would be willing to forego vision coverage and lower dental benefits in order to achieve premium savings for the City. The overall annual savings to the City for all of the proposed changes in the benefit package amounted to \$17,433.92 with a potential liability of \$17,500.00. However, it would cost an additional \$900.00 in annual fees for EBS to manage the plan; in reality, the actual annual liability to the City could conceivably amount to approximately \$1,000.00 if there were five major claims in one year. The self-funded plan would allow the City to set aside cash for future health insurance needs.

Shepherd stated that the City employees are expecting the medical reimbursement of up to \$2,000.00 for the current year. Shepherd stated that there is approximately \$13,000.00 in the City's fund for medical reimbursement, and she suggested that the City continue with the policy for 2011. She also suggested that sometime next year, the City review possibly allowing the employees to receive up to \$2,000.00 in 2012. Both Blum and Abel wanted to make certain that the Council consider allowing the medical reimbursement policy to continue in 2012 to help the City employees recoup some of

their expenses that will be incurred as a result of higher health insurance deductibles. Abel was instructed to include review of the City's medical reimbursement policy on the agenda for the March 2012 City Council meeting. The Council members would then have the opportunity to look at the claims history for 2011 in order to make a decision whether to continue the medical reimbursement policy in 2012.

Ron explained the process for determining the amount of money that the City pays into the self-funded account, which is the premium savings that the City has realized from raising the deductible from the City's initial health insurance plan. Hamilton noted that the City of Shelby has a potential annual liability of \$48,000.00 compared to the City's potential annual liability of approximately \$1,000.00. After a brief discussion, Ron pointed out that the City needs to build the self-funded account, especially initially, to make certain that there is an adequate cushion in the case of large claims. Darren and Kathy both expressed an interest in perhaps continuing to reimburse the employees for health care expenses should the self-funded account continue to grow in the future. Ron again explained the mechanics of self-funding for the benefit of the Council members. On a final note, Hamilton reiterated that the self-funded plan is actually a mechanism designed to protect the employees' deductibles and out-of-pocket expenses. It might be possible to maintain the employees' deductibles in the future by funding the employees' health insurance expenses. Ron stated that the money in the account would remain the City's.

Motion by Shepherd, seconded by Humann to make the following changes to the full-time City employees' benefit package effective on July 1, 2011: the City will partially self-fund employee health insurance, which will be managed by Employee Benefit Systems; the dental plan will be changed to plan 207; vision coverage will be discontinued; and life and disability coverage will remain unchanged. The current Medical Reimbursement Policy will continue for calendar year 2011; the policy will be reviewed at the regular City Council meeting in March of 2012. Ayes: Zimmerman, Tooley, True, Shepherd, Humann. Carried.

Artie Cox had appeared at the previous City Council meeting to request permission to raise chickens at her residence, which is located at 310 Antique City Drive. According to the City Code of Ordinances, it is unlawful for a person to keep livestock, including poultry, within the City limits except by written consent of the Council or except in compliance with the City's zoning regulations. After her request at the last meeting, Artie Cox was instructed to discuss her plans with her neighbors. The Council members had requested that Artie obtain letters from all of the residents who live on her block stating whether or not each neighbor approves of Artie's plans to raise chickens at her residence.

Abel reported that Cox had requested that discussion of her request be postponed until the July City Council meeting because she had been unable to discuss her plans with her neighbors.

Since the last City Council meeting, Abel had compiled information from neighboring communities regarding the matter including Bellevue, Nebraska, Avoca, Atlantic, Elk Horn, Minden, Neola, and Shelby. The Council members were provided with an ordinance from Bellevue, Nebraska regarding the raising of hens. Both Atlantic and Avoca allow chickens in the agricultural district only, but not in the main residential area of the communities. Elk Horn, Minden, and Neola have had chickens in the communities in the past, but not currently; Elk Horn had reported noise problems resulting from the chickens. There are currently chickens in the City limits of Shelby; however, no action has been taken by the City.

Zimmerman reported that he had been approached by another resident who had requested permission to raise livestock in the City limits. Zimmerman commented that by granting Artie's request, he felt that the Council would be "opening a can of worms" that would haunt this Council and City Councils in the future. He felt that granting Cox's request for an extension until the July City Council meeting would only prolong the matter. Zimmerman felt that the Council should abide by the City ordinance prohibiting livestock in the City limits. True's objection to Cox's request was the location of her residence. Cheryl did not feel that Cox should be allowed to raise chickens on her property because of its close proximity to the downtown Business District.

The Council members briefly discussed residents who already have livestock in the City limits. At the present time, the Council has only reacted to livestock in the community if and when a complaint is lodged.

The decision was made to carry over Artie's request for permission to raise chickens in the City limits until the regular July City Council meeting.

Both Dave Sturm and Carol Rosenbaum were present at the Council meeting to provide an update concerning the Splash Pad Project.

Rosenbaum reported that approximately 20 volunteers had helped to lay sod in the park area surrounding the splash pad. The sod will help to control mud around the splash pad, especially since the dedication and barbecue is scheduled for 5:00 p.m. on Friday, June 3, 2011. Blum has been making certain that the sod has been well watered in order to keep it viable.

Rosenbaum and Sturm reported that there were a couple of issues regarding the spray features that surfaced during the start-up of the splash pad. Those issues are being addressed by the contractor and the equipment supplier. Some adjustments are needed regarding the arc of the spraying. Carol was pleased that Jim Blum had told the equipment supplier that the City expects the supplier to make certain that the equipment is operating as it should. Even though there are a few bugs that need to be worked out, Sturm recommended the approval of Pay Request #2 in the amount of \$146,298.34 in favor of McCarthy Landscape & Design. The City will continue to hold a retainage of 5% until all issues have been resolved.

Motion by Tooley, seconded by True to approve Partial Payment #2 in the amount of \$146,298.34 in favor of McCarthy Landscape & Design for the Splash Pad Project.

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

On a final note, Rosenbaum commented about the professional and respectful manner that she had been shown by Evan McCarthy and his employees as well as representatives of the concrete sub-contractor.

There was no Fire Department discussion.

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.

Justen Tooley, representing Cardinal Construction, was present at the Council meeting in regard to the City of Walnut Housing Rehabilitation Program. Cardinal Construction is in the process of rehabilitating the Robin Tooley residence, which is located at 203 Pacific Street. Tooley reported that the roof has been completed, a new water line has been installed, new windows and a new front door have been installed, and a new electrical entrance has been completed. The workers have removed the old siding, and they are getting ready to install new siding on the house. Cardinal Construction is also planning to replace the main public sidewalk; however, there are four trees that are growing next to the sidewalk that have caused the existing sidewalk to heave and break. According to Justen, Robin does not want to remove the healthy trees to accommodate the new sidewalk. Justen explained that there are only four total houses on the block, but there are nine trees along the sidewalk line. Justen requested permission to move the entire sidewalk in toward the house in order to avoid future problems with tree roots compromising the sidewalk. Jim Blum noted that the sidewalks are properly placed so that the inside edge of the sidewalk designates the property line. If the entire sidewalk were to be moved, the sidewalk would no longer designate the property line. Jim noted that the sidewalk along the entire block has also heaved because the trees were planted too close to the sidewalk. Jim stated that there have been people in town who poured their sidewalk to circle around tree trunks to help keep the sidewalk from being damaged by the tree roots. Blum stated that it would cost approximately \$1,200.00 to remove three trees and three stumps. Tooley stated that he would like to move the sidewalk in three feet for the entire width of the property, and then angle the sidewalk back to join the existing public sidewalk. After a brief discussion, both Blum and Tooley agreed that it would be possible to move the sidewalk east two feet for the entire width of the property instead of three feet as previously suggested. Abel pointed out that should the practice occur along the entire block because of the nine trees, the inside edge of the sidewalk would no longer be a point of reference for the City right-of-way line.

Motion by Shepherd, seconded by Tooley to approve a pay request in the amount of \$7,868.00 in favor of Cardinal Construction for rehabilitation of 203 Pacific Street.

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

Motion by Shepherd, seconded by True to allow the owner of property that is located at 203 Pacific Street to move the main public sidewalk the minimum amount allowable to accommodate future tree growth while keeping a straight sidewalk. Ayes: Humann, True, Shepherd, Tooley, Zimmerman. Carried.

The Council members discussed a required audit for the fiscal year ending June 30, 2011. Because of Walnut's population, it is required to have an audit at least once every four years. The City was last audited for the year ending June 30, 2007. Abel indicated that many neighboring communities use the Office of Auditor of State for audit services; Walnut likewise has historically used the State Auditor's Office for audit services. Abel stated that a few neighboring communities have used private firms for audit services; however, the cost has essentially been comparable to the State's price. If the City should choose to contract with a private CPA firm, the City must comply with the request for proposal requirements of the Code of Iowa. Abel indicated that she has allocated \$10,000.00 in the upcoming budget for the audit.

Motion by Shepherd, seconded by Humann to contact the Office of Auditor of State to perform the City's audit for fiscal year 2011. Ayes: Tooley, Zimmerman, Humann, True, Shepherd. Carried.

It was reported that Eldon Ranney's term as a member of the Zoning Board of Adjustment had expired as of June 1, 2011. Abel reported that Eldon Ranney was not interested in being re-appointed to the position; Mayor Larsen had recommended that the City Council appoint Ed Ransom to replace Ranney, with the term to expire in June 2016.

Motion by Shepherd, seconded by Humann to appoint Ed Ransom to replace Eldon Ranney on the Zoning Board of Adjustment, with Ransom's term to expire in June of 2016. Ayes: True, Humann, Zimmerman, Shepherd, Tooley. Carried.

Motion by Tooley, seconded by Shepherd to approve cigarette permits for Antique City Amoco and Kum & Go. Ayes: Zimmerman, True, Shepherd, Tooley, Humann. Carried.

The Council members discussed various items of interest concerning the upcoming AMVET's June Antique Show and Walk. During the course of the discussion, the Council members reviewed a proposed motion that has been approved the past several years concerning the use of public streets and rights-of-way during the AMVET's June Antique Show and Walk. According to information that was supplied in the past by City Attorney Richard Schenck, it would be necessary for the City Council to approve the motion on an annual basis for each upcoming June event. According to the motion, no peddler's or solicitor's licenses under Chapter 122 of the Code of Ordinances would be required for any vendors approved by the AMVETS. The motion would authorize the AMVETS to use certain public streets and rights-of-way for activities of vendors, peddlers, solicitors, transient merchants, and others as may be designated and approved by the AMVETS, on the three consecutive days ending on Father's Day of 2011.

Motion by Humann, seconded by True to authorize Walnut AMVETS Post 45 to conduct the annual summer Antique Walk and to use certain public streets and rights-of-way for activities of vendors, peddlers, solicitors, transient merchants, and others as may be designated and approved by the AMVETS, on the three consecutive days ending on Father's Day of 2011. No peddler's or solicitor's licenses under Chapter 122 of the Code of Ordinances shall be required for such vendors approved by the AMVETS. The public streets authorized for AMVETS activities shall be as follows: Antique City Drive from Pearl Street to North Street; Atlantic Street from Pearl Street to North Street; Highland Street from Atlantic Street to the first alley east of Antique City Drive; Summit Street from Atlantic Street to the first alley east of Antique City Drive; Pleasant Street from Atlantic Street to Antique City Drive; School Street from Antique City Drive to the first alley east of Antique City Drive; Park Street from Atlantic Street to Antique City Drive; Hopley Street from Antique City Drive to the first alley east of Antique City Drive. The first alley west of Antique City Drive shall remain open to the public throughout the course of the Antique Walk. A fire lane must be maintained on all affected streets at all times during the Antique Walk. Ayes: Tooley, Shepherd, Zimmerman, Humann, True. Carried.

It was the consensus of the City Council that the City will again charge \$10.00 per day for each camper that is parked in either Fireman's Park or inside of the ball field gates during the week of the AMVET's Antique Show and Walk. Jim Blum will collect the camping fees on the City's behalf. The City will, in turn, issue a hanger proving that the applicable camping fees have been paid. Camping will be allowed at the City park on a first-come first-served basis. There are typically ten campers that use the park facilities

for three to four days; however, there are currently three fewer available plug-ins since electrical changes have been made in the park. The \$10.00 fee is only charged to those campers that are connected to electricity. Otherwise, there are no fees for camping in the City park area. Campers are not able to plug in air-conditioning units because the circuits in the park will be blown. Basically, there is enough electricity available in the park to run the lights and a fan in the campers.

Blum reminded the Council members of the planned electrical improvements that will be made in Fireman's Park. While extending electricity to the splash pad, Jim made certain that Allan Sievers buried wire for the old-fashioned street lights that will be installed in the park. Blum indicated that he has not yet ordered the light fixtures for the park, and he would like some assistance in determining the location of the fixtures. Jim requested that the Council members look at possible locations for the light fixtures when they are at the park for the dedication of the splash pad. On a side note, Blum also commented that the electrical improvements include outlets for two campers.

It was announced that Walnut Sanitation will collect residential trash on Wednesday and Thursday during the week of the Antique Walk. Garbage will be collected west of Antique City Drive on Wednesday, June 15, 2011 beginning at 7:00 a.m. Garbage east of Antique City Drive will be collected on Thursday, June 16, 2011 beginning at 7:00 a.m. There will be no residential trash collection on Friday during the week of the Antique Walk. Walnut Sanitation will collect all curbside recycling for the entire community on Tuesday, June 14, 2011. The Clerk was instructed to publish a notice in the Walnut Bureau and to post a notice on the front window of City Hall.

Motion by Shepherd, seconded by Humann to adopt Resolution 11-06-03, A RESOLUTION TRANSFERRING \$13,208.17 FROM THE LOCAL OPTION CAPITAL IMPROVEMENTS FUND INTO THE CITY'S GENERAL FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Tooley, seconded by Zimmerman to adopt Resolution 11-06-04, A RESOLUTION TRANSFERRING \$15,000.00 FROM THE LOCAL OPTION CAPITAL IMPROVEMENTS FUND INTO THE STREET IMPROVEMENTS CAPITAL PROJECT FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Shepherd, seconded by Tooley to adopt Resolution 11-06-05, A RESOLUTION TRANSFERRING \$73,985.00 FROM THE CITY'S TIF FUND INTO THE CITY'S DEBT SERVICE FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Humann, seconded by Shepherd to adopt Resolution 11-06-06, A RESOLUTION TRANSFERRING \$90,000.00 FROM THE CITY'S GENERAL FUND INTO THE SPLASH PAD PROJECT FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Tooley, seconded by True to adopt Resolution 11-06-07, A RESOLUTION TRANSFERRING \$22,167.00 FROM THE CITY'S LOCAL OPTION CAPITAL IMPROVEMENTS FUND INTO THE SPLASH PAD PROJECT FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by True, seconded by Shepherd to adopt Resolution 11-06-08, A RESOLUTION TRANSFERRING \$2,673.63 FROM THE CITY'S GENERAL FUND INTO THE FIRE DEPARTMENT FIRE EQUIPMENT FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Motion by Zimmerman, seconded by Humann to adopt Resolution 11-06-09, A RESOLUTION TRANSFERRING \$1,287.81 FROM THE CITY'S GENERAL FUND INTO THE FIRE DEPARTMENT AMBULANCE TRUST FUND. Ayes: Humann, True, Shepherd, Zimmerman, Tooley. Carried.

Regarding discussion of City maintenance, Jim reported that it was recently necessary for the City men to replace two tractor tires at a cost of \$250.00 each. Jim noted that the City men will not repaint street markings until after the Antique Walk. The City men are, however, planning to repair the sidewalk in front of the Post Office prior to the Antique Walk. Humann commended the City men's efforts in repainting the old-fashioned street light poles. Kathy commented that some of the globes on the street lights appear more yellow than others. Jim explained that the yellow globes are older, and he will try to replace the globes with a new set if available.

Relative to Mayor items/announcements, Mayor Pro-Tem Zimmerman announced that the upcoming Antique Walk will result in a great number of people visiting our

community. He stated that the patience and the tolerance of the public are appreciated. Tony thanked the residents in advance for their cooperation during the event.

Regarding Council items/announcements, Humann reported that she and True had recently taken a field trip to Holt County, Nebraska. The trip was scheduled in conjunction with the HomeTown Competitiveness program. The program has been put into action in Holt County, bringing the young professional people together to participate in economic development ventures. Humann stated that she is looking forward to a similar program developing in Pottawattamie County.

Tooley suggested that two City Council members form a joint committee with two School Board members to be more proactive in building pride and spirit to change the demeanor and attitude of the residents of the community. Tooley pointed out that over 50 students are open-enrolled out of the Walnut Community School District. Darren felt that there is a direct correlation between community pride and the appearance of a community. He stated that he has some ideas for the School Board, and he felt that a joint committee would be a good beginning forum.

Humann and True noted that the Holt County communities have a town meeting every six months to celebrate the successes of the past six months. Zimmerman commented that community pride should be started with the notion of continuing to build on that pride through new projects and ventures.

True noted that Holt County's young professionals group meets on a monthly basis to discuss current and proposed projects for the benefit of the communities.

Humann and Tooley were willing to serve on a Council committee. They will contact two School Board members to also serve on the committee together with possible representatives of the general public to explore alternatives for the betterment of the community.

Abel noted that the City has hosted town meetings in the past; the meetings were well-attended and resulted in various suggestions for community improvements. Abel stated that the town meetings were extremely positive, and she suggested that the committee consider hosting town meetings in the future.

Relative to public items/announcements, Carol Rosenbaum questioned whether it would be financially advantageous to coordinate surfacing the service road between the two concession stands at the same time that the curb and gutter project occurs on Walnut Street. Since Walnut Street is being resurfaced with concrete, the Council members did not feel that there would be any advantage of coordinating the two projects.

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

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|--------|---|------------|
| #17473 | United Bank of Iowa, Purchase CD – fire equipment | 500,000.00 |
| #17474 | Terri Abel, wages | 1,124.19 |
| #17475 | James Blum, wages | 1,096.15 |
| #17476 | Wayne Rush, wages | 870.49 |
| #17477 | Shannon Wood, wages | 367.90 |
| #17478 | Iowa Department of Natural Resources, storm water pollution plan | 175.00 |
| #17479 | Prolawn Tree Care, tree removal | 650.00 |
| #17480 | Cardmember Service, water plant repairs; shirts; training | 192.16 |
| #17481 | Herb Wood, hauling; rent of dumpsters; recycling fees | 3,010.00 |
| #17482 | Wellmark Blue Cross Blue Shield, employee insurance | 6,710.63 |
| #17483 | Terri Abel, wages | 1,124.19 |
| #17484 | James Blum, wages | 1,096.15 |
| #17485 | Wayne Rush, wages | 870.49 |
| #17486 | Shannon Wood, wages | 447.77 |
| #17487 | U.S. Postmaster, billing postage | 108.36 |
| #17488 | Ransom Development, interest due – development agreement | 6,504.51 |
| #17489 | Terri Abel, wages | 311.86 |
| #17490 | James Blum, wages | 344.93 |
| #17491 | Sherry Jacobsen, wages | 28.76 |
| #17492 | Margo Matthies, wages | 877.02 |
| #17493 | Wayne Rush, wages | 208.81 |
| #17494 | Michelle Tooley, wages | 331.06 |
| #17495 | Akin Building Centers, alley beautification; concrete patch; roller | 82.62 |
| #17496 | Associated Bag Company, trash bags | 477.76 |
| #17497 | Avis Peters, overpayment of ambulance billings | 2,680.00 |
| #17498 | Avoca Building Material Center, paint; mail boxes; lockset; paint; keys | 419.80 |

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| #17499 | Banyon Data Systems, software support | 1,540.00 |
| #17500 | Walnut Boy Scouts, April & May park mowing | 250.00 |
| #17501 | Brodart Co., book supplies; projector cart | 784.86 |
| #17502 | Cappel's, wire brushes | 29.58 |
| #17503 | Carley Drug Co., ship water sample | 7.81 |
| #17504 | Center Point Large Print, books | 41.34 |
| #17505 | Cheryl True, mileage; potting soil | 72.14 |
| #17506 | Choice Printing, shirts; embroidery | 506.64 |
| #17507 | City of Atlantic, sewer testing | 300.00 |
| #17508 | City of Avoca, pool rental – swimming party | 100.00 |
| #17509 | Counsel Office & Document, copier maintenance | 78.96 |
| #17510 | Dona Grooms, Treasurer fee | 100.00 |
| #17511 | Farm Service Cooperative, 2 computers | 1,148.00 |
| #17512 | Hawkins, Inc., water chemicals | 511.09 |
| #17513 | Highsmith Inc., book supplies | 67.09 |
| #17514 | IMWCA, workers' compensation insurance | 7,824.00 |
| #17515 | Ingram Library Services, books | 60.92 |
| #17516 | Iowa Department of Natural Resources, water & wastewater certification | 240.00 |
| #17517 | Iowa Department of Transportation, sign permits | 80.00 |
| #17518 | Iowa One Call, One Call locates | 28.30 |
| #17519 | IPERS, withholdings | 1,337.53 |
| #17520 | Jessica Newcomb, cleaning City Hall | 50.00 |
| #17521 | Jim Tooley, building permit fees | 30.00 |
| #17522 | Kasperbauer Cleaners, Inc., cleaning floor mats | 114.12 |
| #17523 | Kathy Humann, mileage; parking fees | 117.14 |
| #17524 | Kum & Go, fuel | 786.82 |
| #17525 | Larry Shepherd, mileage | 31.62 |
| #17526 | Lookout Books, books | 273.07 |
| #17527 | Margo Matthies, Library expenses | 710.84 |
| #17528 | Matt Parrott, receipt books | 331.76 |
| #17529 | McCarthy Landscape & Design, pay request #2, Splash Pad Project | 146,298.34 |
| #17530 | Mellen & Associates, Inc., repair of EDR | 320.45 |
| #17531 | MidAmerican Energy Co., gas & electricity | 3,384.48 |
| #17532 | Municipal Supply, Inc., water meter | 965.07 |
| #17533 | Mutual Benefit Plus, employee insurance | 111.45 |
| #17534 | Orschelns, street brush repair | 46.78 |
| #17535 | Penworthy, books | 360.55 |
| #17536 | PMI, ambulance supplies | 298.35 |
| #17537 | Pott. Co. Treasurer, landfill fees | 1,400.50 |
| #17538 | Quill Corporation, supplies | 59.89 |
| #17539 | Robinson True Value, clock repair | 16.99 |
| #17540 | Salvo, Deren, Schenck & Lauterbach, consults | 48.00 |
| #17541 | Shannon Miller, sidewalk replacement | 245.00 |
| #17542 | Snyder & Associates, Inc., engineering fees | 6,585.59 |
| #17543 | SW Iowa Library Service Area, die cut | 20.22 |
| #17544 | Terri Abel, mileage | 18.36 |
| #17545 | Titan Machinery Omaha, 2 tractor tires | 500.00 |
| #17546 | U.S. Postmaster, postage | 88.00 |
| #17547 | Upstart, supplies | 56.90 |
| #17548 | Verizon Wireless, cell phones | 133.39 |
| #17549 | Vern Booth, computer maintenance | 50.00 |
| #17550 | Walnut Bureau, publication | 224.62 |
| #17551 | Walnut Telephone Co., phone; fax; Internet | 230.90 |
| #17552 | Western Iowa Development Association, membership dues | 1,970.00 |
| #17553 | Cardinal Construction, housing rehabilitation – 203 Pacific Street | 7,868.00 |
| #88E | Rolling Hills Bank & Trust, ACH fee | 10.00 |
| #89E | EMS Billing Services, Inc., ambulance billing | 622.66 |
| #90E | Internal Revenue Service, Federal withholdings | 838.74 |
| #91E | Internal Revenue Service, Social Security withholdings | 1,214.42 |
| #92E | Internal Revenue Service, Medicare withholdings | 338.80 |

Summary of Receipts: General, 30,250.73; Mun. Ent., 3,914.50; Road Use Tax, 6,055.24; Trust & Agency, 8,869.70; Water, 10,558.22; Sewer, 3,560.59; Splash Pad

Project Fund, 1,185.00; Water Revenue Bond Sinking Fund, 1,650.00; Eagle Monument Project Fund, 302.82; Local Option Capital Improvements Fund, 7,517.88; TIF Fund, 13,151.19; Customer Water Deposit, 50.00; Housing Rehabilitation Capital Project Fund, 8,586.80; Ambulance Trust Fund, 11.38; Fire Equipment Fund, 51.84; IPAIT Fire Account, 21.27; IPAIT Library Account, 10.21; TOTAL: 95,747.37.

Meeting adjourned, 7:45 p.m.

Tony Zimmerman
Mayor Pro-Tem

Terri L. Abel
City Clerk