

CITY COUNCIL PROCEEDINGS

September 1, 2011

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

Guests in attendance: Bob Allen, Deloris Allen, Izetta Dierking, Bob Hilligas, Kelly Wise, Justen Tooley, Carol Rosenbaum, and Linda Booth.

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

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

Shepherd commented about the portion of the August minutes concerning law enforcement, specifically remarks that had been made by one of the Pottawattamie County deputies. Shepherd did not feel that Abel had been instructed to pass the deputy's remarks on to the Sheriff's Office. Abel stated that she had understood from the Council members that she was to contact the Sheriff's Office regarding the deputy's demeanor. Abel apologized if there was some kind of a misunderstanding about the Council's instructions, and she also requested that the Council members provide her with more clear direction in the future.

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

Because the Council meeting was held on the first day of the month, there were no Treasurer's or Clerk's reports available at the time of the meeting.

Kelly Wise was present at the Council meeting to discuss the Villager Restaurant, which has been closed for many months. The property is owned by a California bank; the building has remained empty since the restaurant closed. Shepherd reported that the property will be sold on an absolute auction on October 18 or 19, 2011.

Wise commented that the restaurant was originally developed by local people, the business flourished for many years, and he felt that it would be a lost opportunity if the building were to be demolished. Wise distributed a 2009 newspaper article concerning the City of Avoca's role in developing a hotel at the Avoca I-80 exit. According to the article, Avoca was considering a plan that would offer developers a combination of hotel/motel tax rebates and the use of Tax Increment Financing.

Wise noted that his two Super 8 properties have paid in excess of \$208,000.00 in hotel/motel tax since 2008; the tax has decreased steadily because of declining occupancy. Wise noted that he has owned and developed two Country Kitchen restaurants, and he indicated that the cost of building and developing a Country Kitchen ranges from \$750,000.00 to \$1.5 million. A small franchise restaurant will generate sales tax, property tax, and provide jobs. Wise felt that a restaurant at Walnut's I-80 interchange would not only boost his hotel sales, but it would also boost fuel sales and increase visitors to the downtown Business District. Wise reiterated that he would hate to see a lost opportunity after the building has been demolished.

Kelly suggested that the City find a way to secure the property, locate a developer, and offer a palatable business opportunity, which would ultimately help the community. Wise indicated that he would have connections to perhaps locate an interested restaurateur.

Shepherd suggested that the City purchase the Villager property and offer an incentive to any interested business owner who would like to locate at the site. Shepherd also questioned whether it would be a possibility for the City to extend water across I-80 to service the property, especially if the City were to own it. There was also a question whether Regional Water has a large enough water line to provide water to a new business. The Villager Restaurant previously operated with water from its private well.

Wise commented that the City's TIF District is already in place on the north side of I-80. He stated that he would be interested in helping the City find someone who would create a viable business operation on the property. Kelly stated that the building is essentially a shell; he owns most of the parking area surrounding the Villager. Wise stated that easements would easily remedy any problematic parking situation. Shepherd mentioned that truck drivers are often limited in where they can eat due to a lack of available truck parking. Truck drivers often ate at the Villager Restaurant in the past

because there was adjacent truck parking available nearby. Mayor Larsen also commented about franchise restaurants that attract the business of truck drivers.

Wise noted that his interest in the property was not exclusive to the development of a restaurant. He felt that any kind of business would be much better than losing the building.

Humann questioned whether it would be possible to make an offer on the property before it goes to auction. Shepherd was not certain of the details of the sale or whether there is an asking price for the property. Mayor Larsen noted that there is one more regular City Council meeting before the auction, and he invited Kelly Wise to attend the meeting. The Council members thanked Wise for his interest in the community; Kelly left the meeting at this time.

Abel suggested that the City Council schedule a special meeting to further discuss the idea. She also recommended that the City contact Lori Holste of the Western Iowa Development Association to gain her insight into possible business incentives and possible business connections with interested entrepreneurs. Abel commented that the City Council should consider going into closed session if it is interested in discussing the purchase of the Villager property. Tooley requested that Shepherd talk to the bank to determine whether inspections have been made on the property and whether the property is listed for sale and at what price. Abel stated that if the City is seriously interested in purchasing the property, it should be determined whether Regional Water would be able to serve a new business with water. True felt that perhaps Lori Holste might know whether there is a restaurant that is already interested in purchasing the property. Tooley questioned whether Western Ventures would be interested in either purchasing or marketing the property.

The decision was made to hold a special City Council meeting on Tuesday, September 13, 2011 at 5:00 p.m. at City Hall. The possible purchase of commercial property is to appear on the agenda for the special meeting. Abel stated that she would talk to the City Attorney about the advisability of going into closed session to discuss the possible purchase of real estate. On a final note, Mayor Larsen announced that the City Council and the Mayor would welcome public input, comments, or suggestions about the possible purchase of the Villager restaurant.

Bob Allen was present at the Council meeting to express some concerns regarding the recent AMVET's Antique Walk. Allen reported that during the first several years of the event, citations were written and vehicles that were illegally parked were towed. During the recent Antique Walk, there were four vehicles in the vicinity of his residence that were illegally parked during the course of the event. In one instance, the alley was blocked; it took 45 minutes for a deputy to respond once called, and the deputy did not issue any citations. Allen stated that all alleys are supposed to be open during the Antique Walk for emergency vehicles, which was not the case during the recent event. Bob also stated that the alley behind the condominiums where he lives is the only way to access his residence. Mayor Larsen, who is in charge of the AMVET's Antique Walk, was not aware of any problems with blocked alleys during the event. He stated that now that he has been informed of the problem, he will make certain that the deputies have specific orders to keep the alleys clear during upcoming shows. Larsen said that the AMVET's hire extra deputies at night for security; the deputies have the authority to issue citations and to tow vehicles when necessary. Bob Allen reiterated that the deputies have not been issuing citations for illegally parked vehicles during the Antique Walk. Mayor Larsen stated that before next year's show, he will give the deputies direction to keep the alleys clear from vehicles and to issue citations if the need arises. Larsen also felt that perhaps it would be beneficial for the AMVET's to post extra signage stating that parking violators will be ticketed and towed. The Mayor stated that he would be willing to address parking issues, which occur at various locations throughout the community during the Antique Show. According to Larsen, the vast majority of visitors are courteous about where they park, but there are always a few inconsiderate people who park in driveways, alleys, and in yards. Mayor Larsen thanked Bob Allen for his input.

Bob Hilligas was present at the Council meeting to request space on the City's website to feature a monthly business on the home page. A local business would be featured for one month on a rotating basis. Mayor Larsen noted that City staff already perform regular updates on the website, and he recommended that the City Council grant permission to proceed with the project, as long as it does not drastically increase the workload of City staff. Abel commented that the opportunity should be open to all local businesses; however, it would be up to each business to furnish copy and pictures. It was

the consensus of the City Council to give permission to Bob Hilligas to proceed with the project.

Jim Blum provided the Council members with an update concerning the Walnut Street Curb and Gutter Project. He reported that the concrete should be poured in the intersection of Pearl Street and Walnut Street before Labor Day weekend; the intersection should be open to traffic shortly after Labor Day. The completion of the intersection should better accommodate trucks traveling to Walnut Elevator. Blum reported that the project should be completed within the month of September, weather permitting.

The Council members were provided with Pay Request #2 for the project; the request totaled \$55,921.75.

Motion by Shepherd, seconded by Humann to approve Pay Request #2 in the amount of \$55,921.75 in favor of McCarthy Trenching, LLC for Walnut Street Improvements. Ayes: Tooley, True, Shepherd, Humann. Carried.

Mayor Larsen reported that there will be an increase in landfill fees at the Pottawattamie County Transfer Station. Larsen explained that the contract between the City of Walnut and Herb Wood of Walnut Sanitation states that Wood will pick up Walnut's residential trash and take the trash to the transfer station in Hancock. The City pays the tonnage fee directly to Pottawattamie County, which is currently \$50.00 per ton. The tonnage fee will increase to \$100.00 per ton, effective July 1, 2012. Larsen explained that Pottawattamie County has been losing money, and the increase to \$100.00 per ton will allow the County to cover its expenses and essentially make a profit of approximately \$3.00 per ton.

Mayor Larsen reported that the City has some options to consider concerning the disposal of its trash. The City currently has a twenty-five year contract with Iowa Waste Systems to dispose of the City's trash at the landfill in Malvern at the current rate of \$23.50 per ton. Accordingly, all of the waste that is collected at the Pottawattamie County Transfer Station is ultimately transported to Malvern for disposal. The Mayor stated that the City's contract with Walnut Sanitation expires on December 31, 2012, which is essentially a six-month overlap with the increased tonnage fees at the transfer station. Mayor Larsen indicated that the City could renegotiate the contract with Herb Wood to transport the City's trash to Malvern instead of to Hancock. Larsen estimated that each trip to Malvern could equate to increased mileage of approximately 100 miles per trip. The Mayor felt that it would be cheaper for the City to pay Herb for the additional mileage rather than to pay the increased tonnage fee of \$100.00 per ton. Abel stated that the City's tonnage averages approximately 30 tons per month. She also reported that LaVonne Wood wanted Abel to announce that Herb Wood would like to continue to haul garbage to the Hancock Transfer Station for the last six months of his contract, after which he plans to retire. Mayor Larsen noted that the City is not obligated to abide by Herb's request. According to Mayor Larsen, the City would have the option to renegotiate a rate with Herb, requesting that he transport the City's garbage to Malvern.

During the course of the discussion, Abel reported that the City is not collecting enough garbage fees from the public to cover the current cost of garbage, even before any increase in tonnage rates. The City is currently collecting \$12.00 per month from each residential property and \$8.00 per month from each commercial business that is using the services of Walnut Sanitation.

Shepherd noted that everyone is concerned about the community looking nice. Susan stated that she recently traveled through a community where all trash cans were the same. She noted that Walnut residents use different sizes and shapes of trash cans, with no uniformity in appearance. She proposed that the City purchase 600 identical trash cans, charging each resident \$1.00 rent per month for each can. Residents would have the option to receive multiple trash cans at \$1.00 per can. Shepherd provided a cost scenario where the City could conceivably make a profit of \$30,600.00 from renting the trash cans for a four year period. Shepherd indicated that the proposal would create another revenue stream for the City while creating a more uniform look. In order for the proposal to work, Shepherd felt that the trash can rental would be mandatory, governed by an ordinance.

Mayor Larsen felt that residents should be charged more for monthly garbage fees if they were provided with two trash cans, for example. Shepherd did not want to penalize families for a larger volume of trash. Abel noted that such a trash program is usually a pay as you throw program; some cities charge a fee for each individual garbage bag or garbage tag, for example.

Shepherd indicated that she noticed a residence where trash had not been collected for three weeks. Because the trash has not been collected, cats have broken into the bags, causing garbage to spill onto the ground. Abel noted that perhaps the reason that the trash has not been collected is because Herb Wood is only required to collect six bags of trash per residential property per week. In instances where there are more than six bags, Wood has the option to leave the extra bags.

Mayor Larsen commented that Shepherd's idea to rent trash cans was an interesting proposal. Shepherd stated that she would be willing to contact the community where she first saw the uniform trash cans to determine how the program works.

Carol Rosenbaum stated that perhaps the City should encourage recycling, which would result in less tonnage for disposal. Rosenbaum felt that residents would rather recycle their trash than be forced to pay an increase in garbage rates. Humann commented that perhaps the City should also consider a similar program to provide its residents with uniform recycling bins.

Mayor Larsen suggested that any change in the City's garbage program should be discussed and decided upon at the same time that the City takes bids for residential hauling. He noted that it might make a difference in the amount that a contractor bids if he is aware that all garbage containers are identical, for example.

Larsen noted that at some point the City will need to address the issue in depth. He instructed Abel to include discussion of increased landfill fees at the Pottawattamie County Transfer Station on the agenda for the next regular City Council meeting.

Linda Booth felt that the proposal for matching trash cans was ridiculous, equating to too much government. Mayor Larsen noted that the Council members and the Mayor are open to opinions and suggestions from the public.

There was a lengthy and slightly heated discussion concerning junk vehicles and garbage.

Abel reported that she had received a complaint about garbage accumulating in the alley behind a residential property. The reason for the accumulation is because Herb Wood has only collected six bags of trash per week from the residence, as required by his contract. Abel questioned how the City Council wanted to handle the trash complaint. Mayor Larsen indicated that he would like to handle the garbage situation with a telephone call.

Abel also reported that she had received a complaint about two vehicles and accumulated junk in the alley that is located east of the 400 block of Walnut Street.

The Council members were provided with an email complaint about trash and demolition derby cars on residential property that is located at 611 Country Street.

Tooley stated that he felt that the City should react to signed complaints only. He did not feel that Council members should be in the position of inspecting and choosing which properties are not in compliance with a City ordinance. Tooley did not want to be in the position of over-governing; he felt that neighbors should be willing to sign a formal complaint. Darren felt that the City should start with encouraging pride in the community; once pride is established, everything else follows suit. However, once the City starts to over-police, good citizens will want to leave. Mayor Larsen reminded the Council members that the City does not enforce the snow ordinance unless a complaint is filed.

The City has a formal complaint form. Tooley did not feel that an email complaint is enough documentation for the City to send an abate of nuisance letter. Humann felt that Abel should have sent the person who had emailed a complaint a formal complaint form immediately after receiving the first complaint. Abel noted that City staff handle complaints on a daily basis, and typically all that is required is a telephone call from the City stating that a complaint has been made, the nature of the complaint, and a request from the City to remedy the situation. Abel stated that in most instances, all that is necessary is a telephone call or a personal visit from City staff. In this instance, however, Abel made an attempt to remedy the situation, which was improved, but not to the satisfaction of the person who had complained. Abel included the complaint on the agenda because she was not able to personally remedy the situation. Abel reiterated that most complaints are handled by City staff without the intervention of the City Council.

Shepherd also felt that the City should respond to complaints when a signed formal complaint form is received. Tooley felt that if City Hall receives a signed complaint form from an individual concerning a junk vehicle, City staff should be authorized to send an abate of nuisance letter giving the owner ten days to remove the vehicle without any further guidance or review by the City Council. Tooley's point was

that the City Council or the City staff is not law enforcement, and it is not the job of City Council members to drive around town looking for situations that are out of compliance with the City ordinances. According to Tooley, a formal complaint gives the City documentation from which to react.

Tooley considered the notion of making a motion giving a specified time period to abate a nuisance concerning junk vehicles, real estate, and trash. Abel felt that all formal complaints should be reviewed by the City Council members before any abate of nuisance letters are mailed. Blum commented that he did not feel that the burden to decide whether a complaint is valid should be that of the City staff. Tooley pointed out that City staff should be responsible to mail an abate of nuisance letter after a formal complaint has been made. If the person who receives the letter does not agree with the complaint, that individual would have the opportunity to discuss the complaint with the City Council at the next City Council meeting.

Abel did not feel that the way that the City Council currently handles complaints has been effective. The City Council directs Abel to send an abate of nuisance letter giving a specified period of time to remedy the situation. However, no one reviews whether or not the problem has been rectified after the specified time, and citations are never issued. Abel gave the circumstance of shutting off water as an example. Shut off letters are mailed and door hangers are posted. If proper arrangements are not made with City Hall, water service is discontinued as threatened. The disconnection of water service is the consequence for the action. The way complaints are currently being handled, there is never a City consequence for a violation of the ordinance other than a warning letter. Abel also agreed with Tooley that it is not the function of City Council members or City staff to police the community to make certain that everyone is abiding by the City ordinances. It is, however, the function of a City Council to view a situation after a complaint has been filed.

It was clarified that when a City Council member or City staff receives a complaint, that City Council member or City staff person should give the person who is complaining a formal complaint form for them to fill out and return to City Hall. Presently residents who complain expect a City Council member or City staff to take their verbal complaint to the City Council for action, thereby never involving the resident who complained. According to both Tooley and Abel, there is a breakdown of the proper channel concerning complaints. Shepherd gave examples of two citizen complaints that she recently received.

Abel noted that the proper nuisance abatement procedure is to send an abate of nuisance letter, giving the resident a set time in which to abate the nuisance. If the nuisance is not remedied within the specified time, the City has the option to abate the nuisance and charge the appropriate fees or to instruct the Sheriff's Office to issue a citation to the person who is in violation of the code. The violator would be cited into court and if he or she pleads guilty, the Magistrate levies a fine. If the violator pleads not guilty, it would be necessary for someone, usually the person who signed the complaint, to appear in court to testify. The Council members agreed that in most instances, ten days is adequate time for anyone to remedy a nuisance situation. True stated that the City has been dealing with junk complaints for the past several months.

Motion by Tooley, seconded by Humann to respond to any formally documented complaint regarding vehicles by sending a notice to abate stating that the nuisance must be abated within ten days. If the property owner disputes the complaint, the issue will be addressed at the next City Council meeting. If the property owner does not dispute the complaint and the nuisance is not abated, a citation will be issued after ten days. Ayes: Shepherd, True, Tooley, Humann. Carried.

Abel was instructed to send an email to the person who complained about junk vehicles and garbage on property that is located at 611 Country Street requesting him to complete a formal complaint form, returning the signed complaint form to City Hall for action. No further action is to be taken on the garbage complaint at 611 Country Street unless a written complaint form is received. The Council members agreed that the trash container cannot be stored indefinitely on the City right-of-way, especially during snow removal activities. Complaint forms will be provided to the City Council members so that they can give the form to anyone who is complaining about a situation in the community.

Fire Chief Justen Tooley was present at the Council meeting to address miscellaneous fire-related issues. Justen reported that approximately five years ago, Chapman Metering of Avoca donated five used passenger vans to the Fire Department.

The Department used some of the vehicles for extrication practice; however, one of the vans was converted to look like a Dalmatian dog. The van has been in Darrell Stamp's name since that time; the Department takes the vehicle to parades and to the annual fire convention. Darrell Stamp would prefer that the vehicle be taken out of his name, and the Fire Department voted to title the vehicle in the City's name, to be insured by the City. Justen indicated that his was the only dissenting vote. Shepherd commented that the City would probably only have to carry liability insurance on the vehicle.

Mayor Larsen surmised that a great deal of partying occurs at the Fireman's Convention. Justen reported that it is Fire Department policy that if a firefighter has been drinking alcohol, he or she is not allowed to drive a vehicle in any parade.

It was reported that the back seats in the vehicle have been modified and turned sideways; no one was certain whether the vehicle is properly equipped with seatbelts. Mayor Larsen felt that the matter should be tabled until the next City Council meeting, which would give the City Council members an opportunity to look at the vehicle.

Humann suggested that the City take ownership of the vehicle, allowing its use only at parades and not at fire conventions. Justen commented that one of his concerns is where the vehicle will be stored.

Darren Tooley indicated that the antique fire truck has also been modified, with seats turned sideways and no seatbelts. He felt that the City should be consistent when considering insuring parade trucks.

The decision was made to table the issue until the next regular City Council meeting, when discussion of the parade truck is to appear on the agenda. Abel is to get a quote to insure the vehicle for liability only. Mayor Larsen did not feel that the cost of the insurance was the issue; he felt that the real matter is a liability issue. Darren said that he will drive the vehicle to the next meeting so that the Council members have an opportunity to look at the truck.

Darren noted that the Fire Department recently held its fundraising barbecue. The Department intends to form a Fire Committee to plan next year's fundraising event, which is proposed to be a two or three day weekend. The Fire Department would like the cooperation of other community organizations to make the weekend a community function.

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

The Council members reviewed change orders and final pay requests for rehabilitation of 203 Pacific Street and 802 Antique City Drive.

Motion by Tooley, seconded by Humann to approve Change Order #2 in the decreased contract amount of \$50.00 with Walnut Creek Construction for rehabilitation of 802 Antique City Drive. Ayes: Shepherd, True, Tooley, Humann. Carried.

Motion by Shepherd, seconded by True to approve Change Order #2 in the increased contract amount of \$475.00 with Cardinal Construction for rehabilitation of 203 Pacific Street. Ayes: Humann, True, Tooley, Shepherd. Carried.

Motion by Shepherd, seconded by True to approve Pay Request #3 (Final) in the amount of \$12,007.00 in favor of Cardinal Construction for rehabilitation of 203 Pacific Street. Ayes: Tooley, True, Shepherd, Humann. Carried.

Motion by Tooley, seconded by Humann to approve Pay Request #2 (Final) in the amount of \$20,371.00 in favor of Walnut Creek Construction for rehabilitation of 802 Antique City Drive. Ayes: Shepherd, Tooley, True, Humann. Carried.

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.

The decision was made to discuss the condition of the sidewalks in the Business District, including a possible program to replace the sidewalks, at budget time in the fall. Abel noted that she had obtained a rough estimate of \$38.00 to \$40.00 per running foot for ten-foot wide sidewalk. The estimate did not include the cost of the curb.

Relative to discussion of law enforcement, the Council members noted that there has been less law enforcement presence in the community during the past few weeks.

Abel distributed photographs and information regarding the upcoming Walnut Antique Fall Festival, which is scheduled for September 17-18, 2011. The event features the sale of Red Wing Stoneware and Pottery. The organizers had requested permission to

use the edge of Pearl Street to display their wares during the festival. The display would be located in front of the Granary Mall; it is possible that the Village Blacksmith will also display merchandise in front of its building. Both Tim Suhr and Elimar Sudmann had stated that the merchandise would not encroach onto Pearl Street.

Motion by Shepherd, seconded by Tooley to give permission to utilize fifteen feet on both sides of Pearl Street for the Walnut Antique Fall Festival, which will be held on September 17-18, 2011. Ayes: Humann, True, Shepherd, Tooley. Carried.

Kathy Humann provided the Council members with a brief update concerning the Walnut Feral Cat Program. She also distributed information concerning similar programs. To date, the Walnut group has spayed or neutered and vaccinated eight cats and found a home for one abandoned cat. It has set up and maintained three feeding stations to control the nuisance behavior of free roaming cats. The group has also attempted to educate the community of the value of TNR by publishing bi-monthly newspaper articles in the Walnut Bureau. The goal for September is to maintain feeding stations, spay or neuter ten cats, and find homes for strays if possible. Humann stated that the cats are captured in a live trap.

The Council members gave Humann permission to include information concerning the Feral Cat Program on the City's website under the animal control section. The City Council also gave the Feral Cat Program permission to use the City's two-year raffle license to hold miscellaneous raffles for fundraising purposes. Abel requested that Humann provide her with the amount of money that is collected for raffles for reporting purposes. On a final note, Humann reported that the group is working on obtaining non-profit status.

Mayor Larsen provided the Council members with information concerning a proposal to publish a booklet about Earl Caddock. Mike Chapman, the publisher of the magazine, Iowa History Journal, has written a booklet about Caddock, who was a world heavyweight wrestling champion, a veteran of World War I, and a Walnut businessman. Chapman has requested that the City consider publishing the booklet, which would cost \$3,000.00. For return on its investment, the City would receive 750 copies of the book, which could be sold for \$7.00 per booklet. Mayor Larsen proposed that the City provide the family of Earl Caddock with 50 free copies of the booklet. During the course of the discussion, the Mayor suggested that the City change the name of Pearl Street to Earl Caddock Drive; the City could have a dedication ceremony, inviting the Caddock family to attend. Larsen felt that the City could actually recoup most of its \$3,000.00 investment through the sales of the booklet.

The Mayor felt that Pearl Street would be the most logical street to rename because there are few houses on the street. Humann thought that it might be possible to add a sign on Pearl Street designating it as Earl Caddock Drive without legally changing the name from Pearl Street. The Mayor noted that Earl Caddock is probably the most prominent citizen that Walnut has had. Shepherd questioned the cost involved in changing the name of a street; Booth commented that it would perhaps be more expensive and harder for a business to change its address than it would be for a residence to change its address. Tooley felt that the City should do some additional research before the Council considers changing the name of a street to honor Earl Caddock. It was mentioned that it would perhaps be easier for the Mayor to make a formal proclamation rather than to change the name of a street.

Mayor Larsen also reported that in exchange for the City's financial participation in the project, Walnut would receive a free two-page article in the Iowa History Journal. Tooley commented that a copy of the booklet should be forwarded to the Iowa Hall of Pride in Des Moines.

Motion by Tooley, seconded by Humann to spend \$3,000.00 to publish a booklet about Earl Caddock. Ayes: True, Shepherd, Humann, Tooley. Carried.

Mayor Larsen stated that it would not be necessary to include any further discussion regarding changing the name of Pearl Street on the agenda until he has obtained additional information.

It was announced that the Eagle Monument will be rededicated on Sunday, September 11, 2011 at 2:00 p.m. The bronze donor plaques and the military insignias have been installed at the monument along with additional bricks.

The Council members reviewed information regarding an upcoming flu shot clinic. The Pottawattamie County Visiting Nurses will be giving flu vaccinations at City Hall on Friday, October 21, 2011 from 9:00 a.m. until 11:00 a.m. The vaccinations are free for people with Medicare Part B; otherwise there will be a charge of \$25.00 for each

flu shot and \$30.00 for flu mist. Consent forms for the clinic will be available at City Hall; consent forms will also be available at the clinic. The Council members agreed to once again pay for the cost of flu shots for the City employees.

Relative to discussion of City maintenance, Blum reported that an EDR technician from Arizona will be traveling through Iowa, and Jim thought that it would be beneficial to make arrangements for the tech to inspect the EDR system at the Water Plant. He estimated a cost of approximately \$1,200.00 for the service; the minimum charge is for eight hours. There is no longer a warranty on the EDR system, and he felt that the inspection would be money well spent on preventative maintenance.

Motion by Humann, seconded by Shepherd to authorize up to \$1,400.00 for an EDR representative to perform preventative maintenance at the Water Plant. Ayes: Tooley, True, Humann, Shepherd. Carried.

Jim reported that the snow plow on the front of the City's plow truck needs to be replaced. The City typically purchases used snow plows from Pottawattamie County at a cost of approximately \$500.00. Blum is also obtaining costs for the replacement of the blade on the back of the tractor, which he estimated at approximately \$4,000.00. He will provide the Council members with a definite price before purchasing a blade for the tractor.

Jim reminded the Council members that they had allocated and approved up to \$25,000.00 for the replacement of the west ball field restroom. He questioned the advisability of replacing the restroom, especially since there will no longer be any football games on the field. After briefly discussing the matter, the decision was made to update the existing west restroom, which was estimated to cost under \$1,000.00.

Abel and Blum discussed the possibility of applying for an Iowa West Foundation grant to purchase two new water features for the splash pad, benches, picnic tables, and barbecue, using the cost of installing sidewalk in and to Fireman's Park as the City's financial match for the project. The cost of the previously approved lighting improvements in Fireman's Park could also be used as the City's financial match. The City Council had only previously discussed the possibility of installing sidewalk on Atlantic Street and in Fireman's Park, but the decision had not been made to proceed with the project. Abel indicated that if there was any Council interest in proceeding with the sidewalk project, she would tailor the grant application to use the cost of the sidewalk project as a match for the purchase of the splash pad equipment, essentially receiving all of the splash pad equipment free. However, she did not want to submit such a grant application if the City Council was not onboard with undergoing a sidewalk project in the park. Blum distributed a diagram of the proposed sidewalk project, which included sidewalk on Atlantic Street from the corner of North Street and Atlantic Street to the corner of North Street and Pacific Street, a 6' sidewalk on the south side of Fireman's Park, extending 4' wide along the splash pad to ultimately tie into the sidewalk between Fireman's Park and the east concession stand. Blum estimated a maximum cost of \$15,000.00 for the sidewalk project. Jim did not feel that the project would require the services of an engineer, although drainage would definitely have to be considered. The sidewalk along Atlantic Street would give children a safe route to walk to the park. The sidewalk along the south side of Fireman's Park would essentially also serve as a curb to the parking area; handicapped ramps would also be included.

Jim also requested that the City consider surfacing the parking area on the south side of Fireman's Park. He estimated a cost of \$36,000.00 to resurface the parking area with 4" thick asphalt. Jim also commented that perhaps he could fill the holes in the parking area with recycled material rather than spend the money to resurface the parking area. It would be possible to install the sidewalk on the south side of Fireman's Park without needing to resurface the parking area.

Abel reiterated that her idea for the grant application was simply a method of matching Iowa West money with projects that are already being considered. Abel indicated that she would not want to tailor the application using sidewalk as a match if the City Council had no intention of undergoing a sidewalk project.

Humann noted that she had taken the steps to put Google Web Analytics on the City's website in order to ascertain what type of searches are being made, how often people visit, and where the people who are viewing the website come from. Since the first of the year, fifty to sixty local residents are using the City's website monthly. There are thousands of hits per month coming from all other areas of the country. Humann reported that the top key searches are parks and recreation, with splash pads high on the

list. She felt that it is important for the City to know that outside visitors are looking for recreational opportunities.

Mayor Larsen commented that he has always recommended that the City continue to spend money at the park area to protect its previous investment in park and recreational improvements. There are many more people from outside of Walnut who are visiting the park as a result of the installation of the splash pad. Humann felt that it was important to provide a handicapped sidewalk that would extend to the shelter in Fireman's Park.

Blum noted that the Alec Mertz Playground and the splash pad will be connected with the engraved bricks that were sold in conjunction with the Splash Pad Project.

Discussion turned to the operational cost of the splash pad and the number of out-of-town people who are utilizing the facility. Both Abel and Blum stated that they plan to determine the actual increased water costs that have resulted from the operation of the splash pad once the season is over. A corrective transfer into the Water Fund may result at budget time after the true figures have been calculated. When questioned further, Abel and Blum estimated the increased operational water costs at approximately \$3,000.00. Blum estimated that the splash pad has used in excess of 4,000,000 gallons of water over the summer. During peak days, the splash pad uses approximately 120,000 gallons of water per day; the community uses approximately 60,000 gallons of water per day. The two planned water features would actually use less water than the two existing gushers use. True pointed out that even if there are a large number of out-of-town people using the splash pad, sidewalks and handicapped-accessibility in the park is still needed.

Abel indicated that a pre-application to the Iowa West Foundation is due by October 1, 2011, with the full application due by October 15. She commented that if the Council is not interested in a sidewalk project, she would write the grant using the park lighting improvements as a partial match for the second phase of the Splash Pad Project. Jim indicated that a portion of the lighting project has already been completed, namely the electrical connections for the Eagle Monument Project and the Splash Pad Project. The remainder of the lighting improvements would include the purchase of three or four fixtures, the concrete pillars, and the cost of underground electrical wire to the fixtures.

After further discussion, the Council instructed Abel to proceed with the grant application using sidewalk improvements as the City's match. The Council was not interested in resurfacing the parking area on the south side of Fireman's Park at this time.

The Mayor questioned whether the increased water usage as a result of the splash pad is shortening the life of the equipment at the Water Plant. Jim noted that the EDR membranes are made to last thirty to forty years with proper maintenance. Blum was instructed to ask the EDR representative whether pumping additional water will decrease the life expectancy of the EDR system.

Discussion of the possible installation of speed bumps is to appear on the agenda for the next regular City Council meeting.

There were no Mayor items or announcements.

Relative to Council items and announcements, True noted that there has been a problem with people parking across the crosswalk near the handicapped parking area in the downtown Business District, especially since the handicapped parking space was moved. After a brief discussion, the City men were instructed to paint the appropriate curb yellow to designate no parking.

Humann reported that the dilapidated house that is located at 308 Atlantic Street is in a hazardous condition; doors are open, windows are broken, and there is drug paraphernalia in the house. Abel reported that it is possible for the City to follow the procedure detailed in the Code of Ordinances regarding dangerous structures. However, she felt that it would be better to work with Pottawattamie County to gain title to the property. The property has already been listed on tax sale, and Pottawattamie County currently has the certificate for the property. It would be possible for the City to contact the Board of Supervisors to begin the process to take possession of the property. After the City has taken title to the property, it would be possible to legally remove the structure and put the property back on the tax rolls.

Abel was instructed to discuss the disposition of the property with City Attorney Richard Schenk. Discussion of the condition of the property that is located at 308 Atlantic Street is to appear on the agenda for the next regular City Council meeting.

The SWIPCO annual meeting will be held in Shenandoah, Iowa on September 15, 2011.

Information was provided concerning the Iowa League of Cities Annual Conference, which will be held in Des Moines, Iowa on September 21-23, 2011. Abel is planning to attend the conference.

There were no public items or announcements.

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

#17755 Terri Abel, wages	1,113.68
#17756 James Blum, wages	1,086.19
#17757 Wayne Rush, wages	862.49
#17758 Shannon Wood, wages	194.10
#17759 Cardmember Service, bricks; schooling; hand cleaner; printer ink	490.91
#17760 Secretary of State, application for Wood notary	30.00
#17761 Herb Wood, hauling; recycling fees; rent of dumpsters	3,010.00
#17762 Wellmark Blue Cross Blue Shield, employee insurance	5,415.23
#17763 U.S. Postmaster, billing postage	113.68
#17764 Terri Abel, wages	1,113.68
#17765 James Blum, wages	1,086.19
#17766 Margo Matthies, wages	922.12
#17767 Wayne Rush, wages	862.49
#17768 Judy Schrecengost, wages	209.66
#17769 Michelle Tooley, wages	264.03
#17770 Shannon Wood, wages	383.36
#17771 Terri Abel, wages	266.06
#17772 James Blum, wages	142.50
#17773 Wayne Rush, wages	276.32
#17774 Atlantic Pest Control, spray fire station for bugs	50.00
#17775 Avoca Building Material Center, dead bolt concession stand	65.99
#17776 Walnut Boy Scouts, August park mowing	125.00
#17777 Cappel's, herbicide	5.99
#17778 Cardinal Construction, pay request – rehabilitation of 203 Pacific St.	12,007.00
#17779 Cass County Extension Service, pesticide applicator class	35.00
#17780 Center Point Large Print, books	41.34
#17781 City of Atlantic, sewer testing	320.00
#17782 City of Walnut, water deposit applied to account	45.69
#17783 CLIA Laboratory Program, CLIA certificate	150.00
#17784 Counsel Office & Document, copier maintenance	114.29
#17785 Dona Grooms, Treasurer fee	100.00
#17786 Emergency Apparatus Maintenance, pump inspection service & repair	2,114.68
#17787 Grainger, repair of EDR system	194.00
#17788 Hach Company, preventative maintenance at Water Plant	2,227.00
#17789 Hawkins, Inc., water chemicals	772.03
#17790 Ingram Library Services, books	14.37
#17791 Iowa Association of Municipal Utilities, training	20.00
#17792 Iowa One Call, One Call locates	7.20
#17793 IPERS, withholdings	1,558.41
#17794 Jason Schnack, refund of water deposit	4.31
#17795 Jessica Newcomb, cleaning City Hall	50.00
#17796 Jim Tooley, building permit fees	61.00
#17797 Kasperbauer Cleaners, Inc., cleaning floor mats	47.03
#17798 Kum & Go, fuel	699.33
#17799 Margo Matthies, Library supplies; magazine; DVD's	97.20
#17800 McCarthy Trenching, Pay Request #2–Walnut Street Curb & Gutter	55,921.75
#17801 Medivac – Atlantic, ambulance mutual aid	150.00
#17802 Michael Hatch, sign lease payment	1,000.00
#17803 MidAmerican Energy Co., gas & electricity	4,193.16
#17804 Orschelns, sprayer repair	39.99
#17805 Pottawattamie County Recorder, recording fee – release of mortgage	9.00
#17806 Quill Corporation, supplies	135.33
#17807 Raco Manufacturing, dialer repair – Jones Street lift station	245.00
#17808 Rex Pharmacy, phone battery	19.79
#17809 Robinson Implement, Inc., disc mower repair	111.78
#17810 Sam's Club, supplies; DVD's; books	213.54

#17811	Simmering-Cory, Inc., administration fees – housing rehab program	7,860.00
#17812	Snyder & Associates, Inc., engineering fees	7,733.35
#17813	State Library of Iowa, town hall meeting	15.00
#17814	U.S. Postmaster, postage	88.00
#17815	United Electric Supply Co., bulbs	513.07
#17816	Upbeat Inc., park benches	1,208.75
#17817	Verizon Wireless, cell phones	141.69
#17818	Walnut Bureau, publication	127.12
#17819	Walnut Creek Construction, pay request – housing rehab program	20,371.00
#17820	Walnut Telephone Co., phone; fax; Internet	231.04
#103E	Internal Revenue Service, Federal withholdings	915.27
#104E	Internal Revenue Service, Social Security withholdings	1,324.11
#105E	Internal Revenue Service, Medicare withholdings	369.26
#106E	Employee Benefit Systems, handling fee for employee insurance	77.49
#107E	Employee Benefit Systems, employee insurance self-funding	1,474.62

Summary of Receipts: General, 17,114.32; Road Use Tax, 7,852.51; Water, 11,746.96; Sewer, 3,782.46; Eagle Monument Project Fund, 250.00; Splash Pad Project Fund, 6,355.00; Water Revenue Bond Sinking Fund, 1,650.00; Local Option Capital Improvements Fund, 15,079.29; IPAIT Fire Account, .29; IPAIT Library Account, .67; Ambulance Trust Fund, 174.47; Fire Equipment Fund, 189.51; TOTAL: 64,195.48.

Meeting adjourned, 8:10 p.m.

Gene Larsen
Mayor

Terri L. Abel
City Clerk