

CITY COUNCIL PROCEEDINGS

October 6, 2011

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

Guests in attendance: Izetta Dierking, Lori Holste, Dave Sturm, Dannie Holtz, Dave Bradley, Justen Tooley, and Linda Booth.

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

Motion by Tooley, seconded by Zimmerman to approve the agenda including a change in the agenda order. Ayes: Tooley, Zimmerman, True, Humann, Shepherd. Carried.

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

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

Dave Bradley was present at the Council meeting to discuss a notice to abate nuisance and intent to issue a municipal citation notice that he had recently received from the City. Bradley had requested a Council hearing regarding the notice, which was dated September 19, 2011. Three items were indicated on the notice including weeds, brush, tall grass, dead overgrown vegetation, or tree limbs; junk and/or junk vehicles; and rat-infested garbage including the accumulation of chairs. The abate notice was sent as a result of a written complaint concerning the condition of the area behind his business building, Corn Country Antiques, which is located at 212 Antique City Drive. Bradley began the discussion by stating that neighboring properties also have weeds as tall as or taller than the weeds behind his building. Dave stated that the van that is parked on his property is not a junk vehicle; he noted that license plates are currently not on the vehicle, but the van is properly licensed. Bradley also said that the van is insured and operational. He pointed out that there is a vehicle that is parked adjacent to his building that has not been moved in the seventeen years that he has owned his property. Dave took offense to the statement that there is rat-infested garbage behind his building. He noted that the building next to his property had some rat infestation which Bradley surmised happened as a result of merchandise being moved into the neighboring building from the country and the fact that Tony Zimmerman located a dumpster behind his restaurant. Bradley stated that he had never had a rat in his building until the dumpster was located and the merchandise came into town from the farm.

Dave Bradley stated that he has placed furniture behind his building to become weathered. He also commented that there are approximately 40 chairs remaining behind his building; he had originally purchased approximately 500 chairs from the Avoca Elementary School. All of the chairs have sold, except for the 40 that remain for sale. Sue Shepherd commented that a group of citizens have been trying to clean up behind the business buildings, and she felt that the remaining chairs are an eyesore.

There was some debate regarding the origin, the reason, and the extent of the rat problem, including the fact that poison has been distributed in an attempt to rectify the problem.

There was some debate between True and Bradley concerning the intent of the Walnut Historic District ordinance, a portion of which was read by True. There was also some debate between them concerning the hours that various downtown shops are open for business.

Mayor Larsen clarified that Bradley received the notice from the City as a result of a complaint that had been made concerning the appearance of Dave's property. Larsen felt that he should personally view the property to determine whether or not a citation should be issued. True noted that she has photographs available of Bradley's property should the Mayor want to review the photos. The Mayor stated that he would meet with Bradley the day following the Council meeting to view the property and determine whether a citation should be issued. Bradley requested that the Mayor also take note of other unlicensed vehicles and tall weeds in the vicinity of his building.

Dannie Holtz, representing Walnut Community School, was present at the Council meeting to request permission to install a stop light on Antique City Drive in front of the school. Holtz clarified that it has been the school's practice to place a

temporary stop sign on the street in front of the school during school hours; however, there has recently been a problem with reliable staff being available to perform the task. Holtz stated that school administration feels that it would perhaps be more viable for the installation of a stop light that would be operated by a timer; the stop light would not operate on Saturday or Sunday or through the summer months. The school felt that a stop light would be more reliable in an effort to keep the children safe. Holtz was not certain how such a light would be mounted, and the school wanted to receive permission from the City before it researched the cost of the light. Holtz was not certain whether or not the school would be willing to pay for the equipment.

Dannie stated that at one time there were two stop lights in front of the school. The equipment was removed many years ago.

Humann suggested a three-way stop in front of the school instead of a stop light. Both Holtz and Humann commented about the large number of trucks that travel on Antique City Drive. Mayor Larsen noted that there will be increased truck noise if the trucks are required to stop. The Council made note that parking would have to be addressed in order to make the stop signs visible. Blum did not feel that parking should be allowed on either side of Antique City Drive for a distance both north and south of the proposed stop signs. Holtz noted that the school is already experiencing a problem with parking in front of the school. Abel commented that any change in parking regulations would require a change in the ordinances.

Holtz felt that the creation of a three-way stop would help to promote safety for the school children and would also solve the parking problem in front of the school by requiring that vehicles park a specified distance from the stop signs.

Shepherd felt that the creation of a three-way stop in front of the school would definitely aid in reducing the speed of vehicles traveling on Antique City Drive. The proposed stop signs would be installed on the City right-of-way. Mayor Larsen commented that stop signs would definitely be less expensive than a stop light.

Mayor Larsen requested that Holtz deliver the message to the school administration that the City Council would recommend the creation of a three-way stop in front of the school rather than the installation of a stop light.

Tooley made mention that the 15-minute parking signs had been removed in front of the school. Teachers are now parking in front of the school, which has created a problem with pre-school parents delivering their children. Darren felt that the school should notify teachers where they should or should not park their vehicles. The Council members reviewed the City's ordinance relative to parking in front of the school. The City's ordinance states that no parking is allowed on Antique City Drive, between the signs, between School Street and Summit Street. Theoretically, the signs can be moved, changing the location of the no parking area in front of the school.

Tooley noted that the temporary stop sign in front of the school has worked for many years, and he questioned the necessity of changing that practice. Tooley felt that someone at the school should be responsible enough to place and remove the portable stop sign at the appropriate hours. Darren was in favor of placing the portable stop sign on Antique City Drive from 7:30 a.m. until 8:30 a.m., removing the sign immediately thereafter. He also suggested a no parking zone in front of the school only during school hours, leaving the area open to parking during the evening hours, during basketball games, for example. Kathy Humann noted that there is a speeding problem on Antique City Drive; Tooley stated that the services of the Pottawattamie County deputies should be enlisted to cite people who are speeding. Darren felt that the City Council has had a tendency to over-police the residents of Walnut, which he did not feel has had beneficial results. He felt that better results are obtained when people talk to each other to discuss their differences.

Mayor Larsen stated that he would not recommend that the City spend a great deal of money for a stop light. Holtz noted that a three-way stop would require drivers to stop twenty-four hours a day, not just during school hours. Larsen also commented that truck drivers often avoid streets with required stops, which might help to reduce the number of trucks.

As a result of the discussion, Tooley suggested that Holtz discuss the matter with the Superintendent of Walnut Community School to determine whether a three-way stop on Antique City Drive would be adequate for the needs of the school.

Discussion of the creation of a possible three-way stop on Antique City Drive in front of Walnut Community School is to appear on the agenda for the next regular City Council meeting.

Dave Sturm, of Snyder and Associates, Inc., was present at the City Council meeting to provide an update concerning the Walnut Street Curb and Gutter Project. Sturm reported that the project is nearing completion with sidewalk to be poured during the upcoming week. The contractor is hoping to seed the area yet this fall, even though the seeding date will be past the DOT deadline for fall seeding. Sturm clarified that the contractor is responsible for seed growth, which will be dependent upon the weather. If the grass seed does not grow, it is possible that the contractor will be required to reseed in the spring of 2012.

Blum noted that additional dirt will be needed for the project area. Sturm stated that there will be an extra charge if the contractor is required to truck the dirt. There will be no additional charge if the City hauls the needed topsoil. Jim stated that the contractor has used essentially the City's entire stockpile of topsoil, which has forced the contractor to truck dirt from Avoca.

With no further discussion, Sturm recommended approval of Pay Request #3.

Motion by Shepherd, seconded by Humann to approve Pay Request #3 in the amount of \$131,043.05 in favor of McCarthy Trenching, LLC. Ayes: Tooley, Shepherd, True, Zimmerman, Humann. Carried.

Lori Holste, the Executive Director of the Western Iowa Development Association, was present at the Council meeting to aid the Council in discussion details concerning the possible purchase of commercial property, namely the Villager Restaurant property. Lori reported that she had discussed the property with a couple from Nebraska who were interested in developing an area restaurant; the couple was having difficulty in obtaining the needed financing for such a project. Holste also reported that the Pottawattamie County Development Corporation, while interested in a project in the rural area, the organization would not have the opportunity to arrange for financing before the Villager property is sold by auction. Holste announced that, after a great deal of thought and consideration, her recommendation to the City Council was that the City consider offering incentives rather than the City participate in the purchase of the property. She did not feel that the City would set a good precedent in purchasing the property, especially since there are other local restaurants and buildings for sale.

Mayor Larsen agreed with Holste's recommendations, and he did not feel that the City should pursue ownership of the Villager. However, the Mayor did feel that the City Council should consider developing a list of possible incentives for any potential bidders. He felt that the City should make an effort to communicate to the bidders before the auction that the City would be interested in discussing possible incentives. The auction date has been scheduled for 10:00 a.m. on Wednesday, October 19, 2011.

Holste stated that most of the time, incentives are tailored according to the individual project; incentives can be determined later, after the property has been sold. The Council members discussed various incentives including stepped tax relief or tax rebate and incentives based on employment and the creation of jobs.

Shepherd felt that the City should contact the auctioneer before the auction to let him know that the City is interested in offering possible incentives to the purchaser of the property. Abel was instructed to contact the auctioneer to request that he announce the following statement on the day of the auction, "The City of Walnut is willing to give incentives and rebates depending on the use of the property and the creation of jobs." Abel is to also request that the statement be included on the National Commercial Auctioneers' website together with the statement, "Feel free to contact City Hall in Walnut at 712-784-3443 with any questions about possible incentives."

Shepherd questioned whether a representative of the City should be present at the auction to bid on the property, especially if the bids were extremely low. Mayor Larsen did not feel that City government should put itself in the position of bidding on such property. Larsen stated that the property would still be worth something, even if it were to be purchased at a low price and the building was removed. The Mayor did not feel that the City should be in the business of purchasing commercial property. Larsen noted that whoever purchases the property will be required to work with Kelly Wise, because Wise owns most of the property surrounding the Villager Restaurant.

The Council members reiterated that Abel should contact the auctioneer to convey that the City Council will consider possible incentives and rebates depending on the use of the property and the creation of jobs. A statement is also to be included on the website giving the City's telephone number as a contact for any questions. Both Zimmerman and Tooley felt that if there is someone seriously interested in purchasing the property to develop a business, the City Council should make an effort to meet with that individual

prior to the auction date to discuss possible incentives. Abel was instructed to contact the Mayor should she receive any telephone calls from potential bidders.

On a final note, Lori Holste felt that the City Council made a wise decision to offer incentives in lieu of actually purchasing the Villager property.

The preparation of the Multi-Jurisdictional Pre-Disaster Mitigation Plan with the Metropolitan Area Planning Agency was postponed until a later date.

Fire Chief Justen Tooley was present at the Council meeting to discuss the City's possible ownership of a parade truck. The truck, which has been renovated to resemble a Dalmatian dog, has been in Darrell Stamp's name since it was converted; 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 had recently voted to title the vehicle in the City's name, to be insured by the City. Plans had been to bring the vehicle to City Hall so that the Council members had the opportunity to view the truck. However, Darrell Stamp was not comfortable driving the truck to Walnut because it is presently not insured.

Abel reported that presently there would be no additional premium to pay should the City opt to insure the vehicle. However, at renewal time in April, the additional premium would amount to \$177.00 per year to insure the parade truck for liability coverage only.

Justen reported that his was the only dissenting vote when voting to title the vehicle in the City's name. He indicated that he was not in favor of the City taking ownership of the truck because the Fire Department does not have adequate space in the Fire Station to house the vehicle and the truck has only been taken to fire conventions. The Fire Department has not driven the Dalmatian truck in area parades. Mayor Larsen stated that the City already has an antique fire truck for parades, and he did not see the need for an additional parade truck. Justen indicated that even if the City did not want to accept the ownership of the truck, the possibility exists that the Fire Association might choose to own the truck. On a final note, Justen stated that, as Fire Chief, he would not want to take on the liability of the Dalmatian truck.

Motion by Shepherd, seconded by Humann for the City to not take ownership of the Dalmatian parade truck. Ayes: True, Zimmerman, Tooley, Shepherd, Humann. Carried.

Blum reported that there was one request for financial participation in residential sidewalk replacement. He stated that he had already approved sidewalk replacement at the Don Walter residence, which is located at 509 Walnut Street. Jim noted that 4' of his sidewalk was replaced; the Council members agreed to include the replacement in the allocation for the current fiscal year. 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. 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.

There was nothing new to report relative to the Housing Rehabilitation Program.

The Council members discussed the possibility of forgiving the monthly utility bill for two individuals who have volunteered their services for park maintenance. Both Larry Jacobsen and Larry Shepherd have volunteered their time during the past summer to maintain the park during the summer months. From October of 2005 through October of 2009, the City Council had approved forgiving Larry Jacobsen's entire utility bill for the following twelve months, including the charges for water, sewer, and garbage, with an annual cap of \$600.00. The Council members had given the same consideration to Larry Shepherd beginning in October of 2009.

Motion by Shepherd, seconded by True to forgive monthly utility bills for two local residents who have volunteered their services for park maintenance. The utility bills are to be forgiven for the next twelve months, not to exceed a total of \$600.00 per individual. Ayes: Humann, Shepherd, Zimmerman, Tooley, True. Carried.

Abel is to include discussion of the possibility of forgiving monthly utility bills for park maintenance on the agenda for October of 2012 so that the matter can again be considered for the following year.

Abel reported that she had not yet received the paperwork, via the Alcoholic Beverages Division, for the renewal of the Class C liquor license for D'Maku's Tiki Bar and Grill. Because the Council members did not want to delay D'Maku's plans for her business, Zimmerman recommended that the Council approve the license renewal contingent upon the completion of the applicable paperwork.

Motion by Shepherd, seconded by Zimmerman to approve a Class C liquor license for D'Maku's Tiki Bar and Grill contingent upon the completion of the appropriate paperwork. Ayes: Humann, True, Shepherd, Tooley, Zimmerman. Carried.

It was previously reported that there will be an increase in landfill fees at the Pottawattamie County Transfer Station. Larsen reminded the Council members 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.

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. 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 indicated that the City Council has some time to discuss and make plans for any changes that will be made to its program to collect solid waste. According to the Mayor, the City would have the option to renegotiate a rate with Herb Wood, requesting that he transport the City's garbage to Malvern. Another option would be to contract with a new hauler, to become effective on July 1, 2012.

Blum questioned whether it would be possible to break the contract with Iowa Waste Systems in an attempt to dispose of the City's trash at a closer landfill. The City would have to be accepted into another Comprehensive Plan in order to dispose of trash at a different landfill.

Abel was instructed to research the disposal of solid waste in order to determine the City's options. She is to obtain the tonnage rates at neighboring landfills, and she is also to determine the possibility of breaking the contract with Iowa Waste Systems. Abel stated that she has been told that the road to the landfill at Malvern is routinely muddy, causing a problem with the accessibility of trucks traveling to and from the landfill. She was not certain whether the condition of the roads could be enough cause to break the contract, for example. Lori Holste suggested that Abel discuss the matter with the City Clerk of Underwood, who has also been researching the issue.

Discussion of solid waste disposal is to appear on the agenda for the next regular City Council meeting.

The Council members discussed the deteriorated condition of the house that is located at 308 Atlantic Street. Humann had reported at the previous meeting that the house is in a hazardous condition; doors are open, windows are broken, and there is drug paraphernalia in the house. As previously reported, 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.

The Mayor and the City Clerk had discussed the matter with City Attorney Richard Schenck. Schenck had stated that the City should make certain that Pottawattamie County has completed the process to obtain clear title to the property. Once that process has been completed by the County, the City could make an application to the Board of Supervisors to receive ownership of the property. It would be necessary for the City to forgive the various mowing assessments that have been made on the property. It might also be necessary for the City to pay a fee to obtain ownership.

Abel was instructed to contact Judy Miller to determine the status of the property. Abel indicated that the City has already taken on the responsibility of mowing the property. Shepherd questioned who would be liable if someone was injured in the house; Humann said that she has photographs of the hazardous condition of the house. Shepherd

requested that Abel tell Judy Miller that the City has some safety concerns regarding the condition of the house. Abel was to determine what the City can do, if anything, to help the County secure the property. Humann indicated that she would email the photos of the property to City Hall. Zimmerman suggested that the City email the photos to the County should there be any question regarding potential safety issues with the property. The Council members agreed that they would be interested in soliciting the Board of Supervisors to receive assignment of the property, once the County has completed the process to take possession.

Motion by Shepherd, seconded by Humann to request assignment of 308 Atlantic Street from the Pottawattamie County Board of Supervisors pending Pottawattamie County's completion of the process to secure clear title. Ayes: Zimmerman, Shepherd, True, Tooley, Humann. Carried.

Upon the request of Susie Sievers, the owner of Forget-Me-Nots, the Council members were instructed to forego deliberation of the approval of a Class B native wine permit for Forget-Me-Nots. For the present time, Susie is no longer planning to sell wine at her business.

Mayor Larsen referenced a revised citizen complaint form, which was provided to the Council members for their review. The complaint form included the proper procedure to submit a complaint, including a question relative to testifying in a Court of Law if so requested. The complaint form also included a question asking whether the complainant would be willing to attend a City Council meeting if so requested. The revised complaint form would replace the current complaint form.

Motion by Humann, seconded by Tooley to approve a revised Citizen Complaint Form. Ayes: Shepherd, Tooley, True, Zimmerman, Humann. Carried.

There was a brief discussion concerning the possible installation of speed bumps. Shepherd had previously suggested that speed bumps be installed on North Street in front of the splash pad and on Antique City Drive in front of the school, both speed bumps in an effort to slow traffic. Because of the previous discussion concerning a three-way stop in front of the school, consideration turned only to the proposed speed bump in front of the splash pad. Tooley admitted that there is a definite speed problem on North Street; however, he was not certain that a speed bump was the correct way to approach the problem. He noted that a stop sign with a crosswalk might be more effective in controlling speed, although he did not feel that the stop sign at the intersection of North Street and Oak Street has had any impact on speed.

When questioned about the nature of speed bumps, Blum stated that they would be portable with stakes driven into the ground, similar to the speed bumps that at one time were installed on Jones Street and have since been removed. The proposed speed bump in front of the splash pad would be removed during the winter months to accommodate plowing activities.

Blum stated that he would not be in favor of the proposed speed bump, and he would not recommend its installation. Jim noted that there are trucks and tractors traveling on North Street, and he felt that the speed bump would be detrimental to the axles on the large equipment. Tooley also pointed out that the speed bump would cause problems to drivers during the Antique Walk.

Shepherd suggested that the Council table the matter for the time being, especially since the splash pad is closed for the winter months. Mayor Larsen stated that he would be willing to request that the Sheriff's Department provide concentrated speed control in the vicinity of the splash pad, specifically when the weather is hot and there are several kids utilizing the facility. Larsen indicated that he would prefer to approach the speed problem in that manner first, rather than installing a speed bump. The Mayor also commented that speed bumps cause low spots in the streets, which would equate to increased street maintenance. Blum stated that he has never seen speed bumps on City streets in any other communities.

It was the consensus of the Council to table any further discussion concerning the installation of speed bumps until a future meeting.

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

Abel reported that there is a requirement to annually update the City's Identity Theft Prevention Program, which was originally approved in October of 2008. The Council members were provided with a copy of the City's program for their review and comment. No changes were made to the existing plan as a result of the review.

Motion by Tooley, seconded by Zimmerman to adopt Resolution 11-10-01, A RESOLUTION ADOPTING AN UPDATED WALNUT MUNICIPAL UTILITY

IDENTITY THEFT PREVENTION PROGRAM FOR THE CITY OF WALNUT. Ayes: Humann, True, Tooley, Shepherd, Zimmerman. Carried.

The Council members were provided with a draft resolution that was recommended as a result of the recent audit that was performed by the State Auditor's Office. The resolution would establish fund balance policies pursuant to GASB 54. Abel explained that the auditing standard would further define various funds restricted for a specific purpose, specifically for the benefit of the Fire Department, for example.

Motion by Tooley, seconded by Humann to adopt Resolution 11-10-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT ESTABLISHING FUND BALANCE POLICIES PURSUANT TO GASB 54. Ayes: True, Zimmerman, Shepherd, Tooley, Humann. Carried.

Mayor Larsen indicated that he has noticed in the two years since he took office that the Council members are expected to spend a great deal of time accomplishing City business including preparing and participating in meetings. The Mayor stated that the office of Council member can be quite time consuming, and it includes a large amount of responsibility. He felt that the Council's compensation should be increased from \$15.00 per Council meeting to \$25.00 per Council meeting. He had accordingly requested that Abel prepare a draft ordinance reflecting the change in compensation. Mayor Larsen recommended approval of draft Ordinance No. 132. Abel explained that the ordinance would have to be adopted prior to the upcoming election in order for the change in compensation to take place in January of 2012. If the ordinance would not be adopted until after the upcoming election, the change in compensation would not take effect until after the next election.

Motion by Tooley, seconded by True to waive two readings and pass on the first consideration Ordinance No. 132, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WALNUT, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO COMPENSATION OF THE CITY COUNCIL. Ayes: Shepherd, Tooley, Humann, True. Nays: Zimmerman. Carried.

Mayor Larsen explained that draft Ordinance No. 133 would have the same change in meeting compensation for the Mayor. Larsen did not recommend the adoption of the proposed ordinance because the Mayor already receives an annual compensation; however, Tooley felt that the meeting fee should be consistent for both the City Council and the Mayor.

Motion by Tooley, seconded by Shepherd to waive two readings and pass on the first consideration Ordinance No. 133, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WALNUT, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO COMPENSATION OF THE MAYOR. Ayes: Humann, True, Tooley, Shepherd. Nays: Zimmerman. Carried.

The Council members were provided with a draft ordinance that would limit parking on Walnut Street to the east side between Pearl Street and Summit Street. The change in parking was being considered because of the recent Walnut Street Curb and Gutter Project.

Motion by Zimmerman, seconded by Humann to waive two readings and pass on the first consideration Ordinance No. 134, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WALNUT, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO NO PARKING ZONES. Ayes: Tooley, Humann, True, Shepherd, Zimmerman. Carried.

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 had previously agreed to once again pay for the cost of flu shots for the City employees.

Relative to discussion of City maintenance, Blum reminded the Council members that they had previously authorized up to \$1,400.00 for an EDR representative to perform preventative maintenance at the Water Plant. Jim stated that he had received a quotation from GE Betz; the quotation amounted to \$1,900.00, which was based on an 8-hour workday. Blum requested that the Council authorize the additional cost for the maintenance service.

Motion by Tooley, seconded by True to authorize up to \$1,900.00 for an EDR representative to perform preventative maintenance at the Water Plant. Ayes: True, Shepherd, Tooley, Zimmerman, Humann. Carried.

The Council members reviewed a quote from Titan Machinery of Avoca, Iowa for a rear blade for the City's tractor. The quote amounted to a cost of \$3,500.00 for the manual tilt blade. Blum stated that he had also requested a quote from Lindeman Tractor, but Lindeman had not provided him with a bid. Mayor Larsen recommended the purchase of the blade, commending Wayne Rush for the service that he provides the City as a tractor operator.

Motion by Humann, seconded by Shepherd to approve the purchase of a rear blade for the tractor at a cost of \$3,500.00 from Titan Machinery of Avoca, Iowa. Ayes: Zimmerman, Tooley, Shepherd, True, Humann. Carried.

Blum reported that there were recent problems with the south well which necessitated the pulling of the well. Cahoy Pump Service pulled the well and determined that the problem was Cahoy's fault from the last time that the well was serviced. The problem was repaired at no cost to the City, and the south well is now again operational. If not the fault of Cahoy, the needed repair work could have totaled up to \$7,000.00.

At a recent City Council meeting, Shepherd had reported that the sidewalk east of the Eldon Ranney residence is in extremely poor condition. The sidewalk is actually located in the alley, and Shepherd had questioned whether it would be the City's responsibility to replace the sidewalk. The Ranney residence is located at 403 Pacific Street. Blum noted that the end of the alley is concrete and relatively steep. He stated that he looked at the sidewalk, and he agreed that the problem needs to be rectified. Blum said that the City men can either tear out and replace the existing sidewalk or remove the sidewalk and re-grade the alley. The Council left it up to Blum's judgment to remedy the safety issue.

Abel reported that it was recently necessary to replace Blum's computer at the Water Plant. A new computer was purchased at the same time to replace Shannon Wood's computer, which was more than five years old. Farm Service Cooperative reduced the price of the second computer.

Regarding Mayor items or announcements, Mayor Larsen commended Abel and Wood for the favorable audit report that was presented during the exit conference.

Relative to Council items or announcements, Shepherd volunteered to complete a quarterly inspection of City property.

It was reported that general garbage pick-up will take place on Thursday, October 13 and Friday, October 14, 2011. General pick-up items will be collected west of Antique City Drive beginning on Thursday, October 13 at 7:00 a.m. Nothing west of Antique City Drive will be collected for general pick-up after Thursday. General pick-up items will be collected east of Antique City Drive beginning on Friday, October 14, 2011 at 7:00 a.m. Regular trash collection for the entire community will be on the normal days beginning at 7:00 a.m. as usual. A list of rules for general pick-up was distributed to the Council members for their review. Appliances, including microwaves, water heaters, refrigerators, washers, dryers, stoves, dehumidifiers, freezers, and air conditioners can be included and will be picked up during general pick-up for a fee of \$15.00 per appliance. The fees will be billed by the City on an individual basis. All shelves and drawers must be removed from refrigerators and freezers. Garbage pick-up, weekly as well as general pick-up, is for Walnut citizens only. Debris from outside Walnut is not welcome. General garage pick-up is intended for residential customers only. Businesses are not allowed to participate in the general garbage pick-up program. A notice of the upcoming general garbage pick-up will be published in the Walnut Bureau and posted in the window at City Hall.

The Council members agreed to officially set Trick-or-Treating in Walnut for Monday, October 31, 2011 from 5:00 p.m. until 7:00 p.m.

True reported that there is a semi-trailer parked near the scale house on property that is owned by Janet Macdonald. Mayor Larsen surmised that Macdonald is using the trailer for storage; he was not certain that the location of the trailer is in conflict with any of the City's ordinances. There are wheels on the trailer, and the Mayor was not certain whether or not the trailer is licensed. True questioned whether a storage semi-trailer is the look that the downtown Business District wants to convey. True noted that a great deal of time and effort was put forth to beautify the downtown alleys, and now the visibility of one of the barn quilts is obscured by a semi-trailer. Mayor Larsen

commented that perhaps the location of the semi-trailer is temporary, and he stated that he would investigate the matter.

Humann commented that there is another semi-trailer parked behind the Granary Mall. Shepherd noted that the City sends letters to one resident when another resident has the same nuisance. True said that all residents have the opportunity to file a complaint, and she reminded the Council members that the abate process is complaint driven.

Tooley made note of the comment that True made about the look of the downtown Business District, and he felt that the merchants should have a hand in determining the ambiance of the downtown area. Tooley also made note that his wife, who works at the Library, has received complaints about the hours that some of the downtown businesses are closed. Tooley was not certain whether the City Council should dictate the appearance of the downtown Business District. True reminded the Council members that the City already has such an ordinance in effect. Cheryl stated that there are several Iowa communities that are working on streetscape projects, and she felt that Walnut needs to keep the downtown Business District attractive or the viability of the local business community will suffer.

There were no public items or announcements.

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

| | |
|---|----------|
| #17821 Farm Service Cooperative, lap top computer | 2,885.00 |
| #17822 Cardmember Service, pager batteries; anti-virus software; bricks | 1,276.99 |
| #17823 Terri Abel, wages | 1,113.68 |
| #17824 James Blum, wages | 1,086.19 |
| #17825 Wayne Rush, wages | 862.49 |
| #17826 Shannon Wood, wages | 404.17 |
| #17827 Herb Wood, recycling fees; rent of dumpsters; hauling | 3,010.00 |
| #17828 Justen Tooley, reimbursement of pumper repair | 468.68 |
| #17829 Wellmark Blue Cross Blue Shield, employee insurance | 5,415.23 |
| #17830 Iowa Library Association, training | 170.00 |
| #17831 Terri Abel, wages | 1,113.68 |
| #17832 James Blum, wages | 1,086.19 |
| #17833 Wayne Rush, wages | 862.49 |
| #17834 Shannon Wood, wages | 449.95 |
| #17835 U.S. Postmaster, billing postage; fluoride notification postage | 264.02 |
| #17836 Terri Abel, wages | 647.90 |
| #17837 James Blum, wages | 422.96 |
| #17838 Margo Matthies, wages | 1,079.79 |
| #17839 Wayne Rush, wages | 162.15 |
| #17840 Judy Schrecengost, wages | 113.87 |
| #17841 Michelle Tooley, wages | 301.56 |
| #17842 Akin Building Centers, paint; edger; float | 60.26 |
| #17843 Atlantic Motor Supply, lagoon pump belts | 38.38 |
| #17844 Avoca Building Material Center, anchors; forms; reciprocal saw | 139.69 |
| #17845 Walnut Boy Scouts, September park mowing | 125.00 |
| #17846 Broad Reach, books | 175.32 |
| #17847 Cappel's, links; spreader; trimmer line | 35.03 |
| #17848 Carley Drug Co., ship water samples | 25.40 |
| #17849 Center Point Large Print, books | 41.34 |
| #17850 Choice Printing, embroidery shirts | 70.00 |
| #17851 City of Atlantic, sewer testing | 390.00 |
| #17852 City of Walnut, deposits to water accounts | 150.00 |
| #17853 Clark's Vacuum, clean Library | 139.10 |
| #17854 Counsel Office & Document, copier maintenance | 130.08 |
| #17855 Cummins Central Power, Water Plant generator service contract | 690.65 |
| #17856 D & B Farms Partnership, sign lease payment | 1,800.00 |
| #17857 Danko Emergency Equipment, super pass devices | 1,459.83 |
| #17858 Dave Lyon Auto & Truck Repair, tow pumper | 325.00 |
| #17859 Des Moines Stamp Co., notary stamp | 26.70 |
| #17860 Dona Grooms, Treasurer fee | 100.00 |
| #17861 Gale, books | 135.81 |
| #17862 Hawkins, Inc., water chemicals | 900.66 |

| | |
|--|------------|
| #17863 Holtz Service, trimmer head | 29.95 |
| #17864 Ingram Library Services, books | 35.63 |
| #17865 Iowa Department of Natural Resources, annual water use fee | 95.00 |
| #17866 IPERS, withholdings | 2,150.73 |
| #17867 Jessica Newcomb, cleaning City Hall | 50.00 |
| #17868 Jim Tooley, building permit fee | 10.00 |
| #17869 Kasperbauer Cleaners, Inc., cleaning floor mats | 94.06 |
| #17870 Kum & Go, fuel | 735.11 |
| #17871 Margo Matthies, mileage; supplies; shelving; magazine; DVD's; books | 504.99 |
| #17872 McAtee Tire Service, repairs to Dodge pickup | 589.70 |
| #17873 McCarthy Trenching, Walnut Street Curb and Gutter Project | 131,043.05 |
| #17874 MidAmerica Books, books | 95.70 |
| #17875 MidAmerican Energy Co., gas & electricity | 4,241.60 |
| #17876 Nelson Machine & Forge, park gate brackets | 173.68 |
| #17877 Pottawattamie County Recorder, recording fees – Housing Rehab | 14.00 |
| #17878 Pottawattamie County Sheriff's Office, police protection Oct-Dec | 3,836.88 |
| #17879 Pottawattamie County Treasurer, landfill fees | 3,197.50 |
| #17880 Quill Corporation, supplies | 89.77 |
| #17881 Region IV Iowa Water Environmental Assoc., training | 72.00 |
| #17882 Salvo, Deren, Schenck & Lauterbach, consults | 532.00 |
| #17883 Shannon Wood, mileage | 48.65 |
| #17884 Sievers Plumbing Corporation, softener repair | 3.57 |
| #17885 Snyder & Associates, engineering fees – Walnut Street | 3,166.79 |
| #17886 State Farm, refund of ambulance payment | 676.00 |
| #17887 State Hygienic Laboratory, water testing | 69.00 |
| #17888 State of Iowa Medicaid, refund of ambulance payment | 52.02 |
| #17889 Super Foods, water testing supplies | 7.63 |
| #17890 Terri Abel, mileage | 148.74 |
| #17891 The Road Guy Construction Co., sealcoat streets | 28,217.40 |
| #17892 Toyne, Inc., lens for pumper | 15.30 |
| #17893 Treasurer of State, 3 rd quarter sales tax | 2,662.64 |
| #17894 Treasurer, State of Iowa, State withholdings | 1,383.19 |
| #17895 U.S. Postmaster, postage | 88.00 |
| #17896 Verizon Wireless, cell phones | 146.85 |
| #17897 Walnut Bureau, publication | 826.02 |
| #17898 Walnut Telephone Co., phone; fax; Internet | 243.01 |
| #108E Internal Revenue Service, Federal withholdings | 793.19 |
| #109E Internal Revenue Service, Social Security withholdings | 1,205.09 |
| #110E Internal Revenue Service, Medicare withholdings | 336.06 |
| #111E Employee Benefit Systems, handling fee for employee insurance | 77.49 |
| #112E Employee Benefit Systems, employee insurance self-funding | 1,474.62 |
| #113E EMS Billing Services, Inc., ambulance billing | 260.74 |

Summary of Receipts: General, 42,217.80; Road Use Tax, 7,311.92; Trust & Agency, 4,815.74; Water, 12,715.64; Sewer, 3,970.34; Customer Water Deposit, 201.42; Eagle Monument Project Fund, 300.00; Splash Pad Project Fund, 400.00; Water Revenue Bond Sinking Fund, 1,650.00; TIF Fund, 4,053.06; Housing Rehabilitation Capital Project Fund, 39,788.00; IPAIT Fire Account, .20; IPAIT Library Account, .47; TOTAL: 117,424.59.

Meeting adjourned, 7:15 p.m.

Gene Larsen
Mayor

Terri L. Abel
City Clerk