

CITY COUNCIL PROCEEDINGS

June 6, 2012

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

Guests in attendance: Linda Booth, Izetta Dierking, Jeff Hansen, Trace Frahm, Jon Mitchell, Justen Tooley, Cheri Driver, Lynn Driver, Karol Calabro, LaVonne Wood, and Matt Mills.

City staff in attendance: Jim Blum and Terri Abel.

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

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

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

The Council members discussed the current vacancy on the City Council that occurred because of Darren Tooley's recent resignation. Tooley resigned his Council seat effective May 3, 2012; Tooley's term was to end on January 2, 2014.

At the last regular City Council meeting, the Council had made the decision to place an ad in the Walnut Bureau requesting volunteers to fill the Council vacancy. It was the intent of the City Council to appoint someone to fill the vacancy. As a result of the City's advertisement, Karol Calabro, Trace Frahm, and Jon Mitchell had volunteered to fill Darren Tooley's position on the City Council.

Karol Calabro initiated the discussion by withdrawing her name from consideration.

Both Trace Frahm and Jon Mitchell provided the Council members with some information pertaining to their backgrounds and their desire to serve on the City Council. Jon Mitchell ultimately withdrew his name from consideration, stating that he believed that Trace Frahm would perform well as a Council member.

Motion by Bierbaum, seconded by True to appoint Trace Frahm to fill the Council vacancy until the next regular election. Ayes: Shepherd, True, Bierbaum. Carried.

Larsen reported that Frahm will serve until the next general election, which will occur on November 6, 2012. The City had received word from the Pottawattamie County Auditor's Office that there should be no charge for the election as there had been some miscommunication, and the City election is such a small part of the general election.

Mayor Larsen gave the oath of office to Trace Frahm.

The Mayor appointed Susan Shepherd to serve as Mayor Pro Tem for the remainder of the year.

Fire Chief Justen Tooley and Jeff Hansen, President of the Walnut Fire Department, appeared before the Council to discuss capital equipment funding for the Fire Department. Mayor Larsen explained that the Fire Department is in need of a replacement quick attack vehicle. There is a problem, however, with the purchase of the vehicle because one of the townships has not set aside enough funding to cover its percentage of the cost. Fire Chief Tooley requested that the City Council agrees to include a line item on the annual Fire Department budget for the purchase of capital equipment. The City typically sends a bill to each township at the end of June each year for reimbursement of the actual expenses that were paid on behalf of the Fire Department according to the percentages as previously determined. In other words, the actual expenses are paid according to the following percentages: Layton Township, 30%, Lincoln Township, 30%, the City of Walnut, 25%, and Monroe Township, 15%. According to the request of the Fire Department, the City would include the capital equipment allocation on each annual bill. Each township would actually pay the City its portion of the annual expenses as well as its portion of the allocation for capital equipment. The City would essentially handle all of the funding for all of the entities for capital equipment purchases. After explaining the Fire Department's request, Tooley clarified that the City Attorney had suggested adding the line item to the annual budget so that the City and the Fire Department are constantly aware of how much money is available for capital equipment purchases. It has been an unwritten agreement of the Fire Board members that a new vehicle will be purchased for the Fire Department every ten years and each entity will save its percentage of the purchase cost. By paying that

percentage to the City, all of the entities will know that funding will be available when it becomes time to purchase a vehicle. Tooley clarified that legally the townships are allowed to levy 30 and ½ cents per thousand for capital equipment purchases.

Motion by Shepherd, seconded by True to include a line item on the annual budget for the purchase of capital equipment for the Fire Department, payable by Layton, Lincoln, and Monroe Townships to the City of Walnut. The amount of the line item will be recommended by the Walnut Fire Department and approved by the City Council. This line item will appear on the budget beginning in January of 2013, payable in FY 13-14. Ayes: Frahm, True, Shepherd, Bierbaum. Carried.

Also relative to Fire Department discussion, Marye Bierbaum requested permission to close a portion of Antique City Drive during Funfest activities. The Fireman's Funfest will be held on the Saturday before the Antique City Car Show, Saturday, August 4, 2012. The committee had decided to center Saturday's activities in the downtown Business District, and she requested permission to close Antique City Drive from Pearl Street to Highland Street and Highland Street from Antique City Drive east to the first alley from 7:00 a.m. until 1:00 a.m. She also requested that the remainder of Antique City Drive to North Street be closed from 4:00 p.m. until 6:00 p.m. for the parade. Marye indicated that plans are still being formalized for Saturday's activities, which could possibly include both a local talent show and a street dance in the downtown area. Blum stated that the City men would post a detour sign on Antique City Drive near North Street, using the same official detour that has been customary during the June Antique Show and the Antique Car Show. Vehicles will be routed on North Street to Pilling Street. Even though Bierbaum had originally also requested the closing of the west one-half block of Highland Street, the Council opted to close only the east one-half block, blocking the intersection in such a way as to allow the parade and vehicles to actually funnel west on Highland Street from Antique City Drive.

Motion by Bierbaum, seconded by True to close Antique City Drive from Highland Street to Pearl Street and Highland Street from Antique City Drive east to the alley from 7:00 a.m. on Saturday, August 4, 2012 until 1:00 a.m. on Sunday, August 5, 2012 for the Fireman's Funfest. Antique City Drive will also be closed from 4:00 p.m. to 6:00 p.m. on Saturday, August 4, 2012 from North Street to Highland Street for the parade. Ayes: Shepherd, Bierbaum, Frahm, True. Carried.

Abel stated that she will publish a notice in the Walnut Bureau regarding the street closings.

Lynn and Cheri Driver were present at the Council meeting to request approval of a five-day temporary outdoor service privilege, the dates to be in conjunction with the upcoming Antique Walk. Lynn stated that he has plans to serve both food and liquor outside during the event, with the possibility of including a band.

Motion by Shepherd, seconded by Bierbaum to approve a five-day outdoor service privilege from June 13-17, 2012 for Emma Jean's. Ayes: True, Frahm, Shepherd, Bierbaum. Carried.

The Council members reviewed a letter from Iowa Codification, Inc., of Clear Lake, Iowa. The letter included two options for recodification of the City's ordinances. Option 1 would supplement ordinances #125 through #134 and readopt the existing code as the 2012 Code of Ordinances. Option 1 would be the minimum action required to be in compliance with State Code; however, the option would not result in any legislative changes or City changes. The cost of this option is \$1,000.00.

Option 2 would complete a comprehensive update of the City's existing code books to bring them into compliance with legislative changes plus model changes and cleanups that have occurred since the 2007 code was adopted. A comprehensive update would incorporate all of these changes in the books as well as supplement the uncodified ordinances. This option would result in the preparation of revised code pages to amend the affected sections. These new pages would then be inserted into each of the City's existing books at the appropriate places. Iowa Codification would also provide the necessary proceedings for the City to adopt the updated Code of Ordinances. The cost of option 2 would total \$2,400.00; the proposal is valid for 90 days.

It was the consensus of the Council that option 2 would be the more sensible solution for the City.

Motion by Shepherd, seconded by True to approve option #2 in the amount of \$2,400.00 as submitted by Iowa Codification, Inc. to perform a comprehensive update of the City's Code of Ordinances. Ayes: Bierbaum, Frahm, Shepherd, True. Carried.

LaVonne Wood, representing Walnut Sanitation, and Matt Mills, with MTS of Exira, were present at the Council meeting to discuss solid waste disposal. The Council members were also provided with a revised draft agreement for review. Abel indicated that she had submitted the draft agreement to the City Attorney for his review and comment.

Matt Mills reminded the Council members that the tonnage fees at the Hancock Transfer Station will increase to \$100.00 per ton in July of 2012. Mills proposed that the City extend Wood's contract for one to two years. Wood would immediately begin to dispose of Walnut's trash at the landfill that is located near Malvern; however, Herb would be using an MTS truck. By doing so, Mills pointed out that the City would be paying much less in landfill costs by utilizing the Loess Hills Regional Sanitary Landfill for the last six months of Wood's contract. Mills proposed that the City extend Herb's contract for one or two years, with Matt doing the hauling, which would give the Council the opportunity to judge Mills' performance. The contract would be extended until either December of 2013 or December of 2014.

LaVonne Wood commented that all of the details had not been worked out between Wood and Mills. She stated that she had wanted to approach the Council before a date was set to let bids for the solid waste agreement. Mayor Larsen noted that there is time for the Council to wait another month before setting a date to receive bids, which would give Wood and Mills an opportunity to discuss details and the City Council some time to think about Mills' proposal. Wood stated that if the City Council were to extend Herb's contract for one year, he would immediately begin to travel to Malvern to dispose of the trash. If the contract was not extended for one year, Herb would continue to dispose of the City's trash at the Hancock Transfer Station for the last six month's of his current contract.

Abel stated that if details of the contract are changed, the contract essentially would become a new contract and not an extension of the current contract. Both Mayor Larsen and Abel noted that they would need to contact the City Attorney to discuss whether the City is required to take bids on solid waste and whether it would be possible to extend Herb Wood's contract.

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

Mayor Larsen reported that he had distributed a press release concerning the upcoming ceremony honoring Earl Caddock, including the designation of Earl Caddock Memorial Drive. The event will take place during the Walnut Antique Show at 9:00 a.m. on Sunday, June 17, 2012 in front of the Village Blacksmith, which is located at 610 Pearl Street. Earl Caddock actually built the Pearl Street building. The author of the book about Earl Caddock, Mike Chapman, will be available at the event for a book signing.

Larsen indicated that three signs will be posted, which will designate Pearl Street as Earl Caddock Memorial Drive. One sign will be posted on Highway 83 coming from the west; one sign will be posted on Pearl Street west of Antique City Drive; and the remaining sign will be erected on Pearl Street east of Antique City Drive.

The Council members discussed various items of interest concerning the upcoming Walnut Antique Show. During the course of the discussion, the Council members reviewed a proposed motion that has been approved the past several years concerning the use of public streets and rights-of-way during the June Antique Show. According to information that was supplied in the past by City Attorney Richard Schenck, it would be necessary for the City Council to approve the motion on an annual basis for each upcoming June event. According to the motion, no peddler's or solicitor's licenses under Chapter 122 of the Code of Ordinances would be required for any vendors approved by the AMVETS. The motion would authorize the AMVETS to use certain public streets and rights-of-way for activities of vendors, peddlers, solicitors, transient merchants, and others as may be designated and approved by the AMVETS, on the three consecutive days ending on Father's Day of 2012.

Mayor Larsen reported that the AMVET's show is now being publicized as the Walnut Antique Show.

Motion by Shepherd, seconded by Frahm to authorize Walnut AMVETS Post 45 to conduct the annual summer Walnut Antique Show and to use certain public streets and rights-of-way for activities of vendors, peddlers, solicitors, transient merchants, and others as may be designated and approved by the AMVETS, on the three consecutive days ending on Father's Day of 2012. No peddler's or solicitor's licenses under Chapter

122 of the Code of Ordinances shall be required for such vendors approved by the AMVETS. The public streets authorized for AMVETS activities shall be as follows: Antique City Drive from Pearl Street to North Street; Atlantic Street from Pearl Street to North Street; Highland Street from Atlantic Street to the first alley east of Antique City Drive; Summit Street from Atlantic Street to the first alley east of Antique City Drive; Pleasant Street from Atlantic Street to Antique City Drive; School Street from Antique City Drive to the first alley east of Antique City Drive; Park Street from Atlantic Street to Antique City Drive; Hopley Street from Antique City Drive to the first alley east of Antique City Drive. The first alley west of Antique City Drive shall remain open to the public throughout the course of the Antique Show. A fire lane must be maintained on all affected streets at all times during the Antique Show. Ayes: True, Bierbaum, Shepherd, Frahm. Carried.

Mayor Larsen clarified that the proposed motion was originally drafted to control outside vendors from setting up during the June show. Mayor Larsen stated that residents are allowed to sell their own merchandise on their own properties; however, residents cannot allow outside vendors to set up in their yards to sell. In other words, yard sales are permissible as long as the merchandise belongs to the homeowners or their families.

It was the consensus of the City Council that the City will again charge \$10.00 per day for each camper that is parked in either Fireman's Park or inside of the ball field gates during the week of the Walnut Antique Show. Jim Blum will collect the camping fees on the City's behalf. The City will, in turn, issue a hanger proving that the applicable camping fees have been paid. Camping will be allowed at the City park on a first-come first-served basis. The \$10.00 fee is only charged to those campers that are connected to electricity. Otherwise, there are no fees for camping in the City park area.

It was announced that Walnut Sanitation will collect residential trash on Wednesday and Thursday during the week of the Antique Walk. Garbage will be collected west of Antique City Drive on Wednesday, June 13, 2012 beginning at 7:00 a.m. Garbage east of Antique City Drive will be collected on Thursday, June 14, 2012 beginning at 7:00 a.m. There will be no residential trash collection on Friday during the week of the Antique Walk. Walnut Sanitation will collect all curbside recycling for the entire community on Tuesday, June 12, 2012. The Clerk was instructed to publish a notice in the Walnut Bureau and to post a notice on the front window of City Hall.

There was a brief discussion concerning the planned development of a sand volleyball court. Bierbaum reported that the poles are being donated; she stated that the Youth Advisory Board had applied for a grant through Walnut Communications on behalf of the project. Any grant proceeds will be used to pay the City back for the development of the court, based on a previous City Council decision. Blum added that the City men will begin construction in earnest after the upcoming Antique Show.

It was reported that many of the planned improvements for Fireman's Park are now in place, including two new features for the splash pad, a new bench, two new picnic tables, a bicycle rack, and a grill. New colorful trash receptacles and a splash pad rules sign have also been put into place. Other planned improvements will follow including sidewalk in front of Fireman's Park and the installation of old-fashioned street lights.

Abel reported that Fireman's Park is being heavily utilized. The Peace Church and Presbyterian Church Bible School was recently held at the splash pad along with several birthday parties and family reunions. The shelter is available for use by the public on a first-come first-served basis; the public is not allowed to reserve the shelter.

Relative to discussion of law enforcement, the Council members reviewed the proposed Pottawattamie County contract for law enforcement services. The City's cost for the basic contract amounted to \$17.50 per capita, an annual sum of \$13,737.50, based on the City's 2010 census figure of 785. The per capita cost for the proposed contract was the same as the per capita cost in the City's current contract. The cost of additional daily coverage remained at \$8,760.00 per hour for the proposed contract. Currently, the City is not contracted for any additional hours of guaranteed police protection.

During the course of the discussion, Mayor Larsen commented that the Pottawattamie County Sheriff's Office has provided its services, at no additional cost, for extra patrol time during the June Antique Show. The Mayor noted that the Sheriff's Office has always been willing to give Walnut special attention during all special events. The AMVETS actually pay the reserve deputies to help patrol during the June Show.

Neither the Mayor nor the Council members felt that any additional hours of protection are needed from the Sheriff's Department, and Abel was instructed to strike the appropriate paragraph from the Law Enforcement Services Contract.

Motion by Shepherd, seconded by Bierbaum to approve the basic Law Enforcement Services Contract with the Pottawattamie County Sheriff's Department at an annual cost of \$13,737.50 or \$17.50 per capita. The contract will become effective on July 1, 2012; the contract will not include any additional hours of guaranteed police coverage. Ayes: Frahm, True, Bierbaum, Shepherd. Carried.

Relative to discussion of nuisances, the Council members were provided with thirteen complaint forms that had been prepared and completed by Merlene Sievers along with a cover letter. All of the complaints dealt with burning; the complaint forms were accompanied by several photographs of burnt piles. Some of the photos showed landscape waste that had been burned; other photos showed piles of debris in varying conditions, both burnt and ready to be burnt. Abel noted that residents are allowed to burn yard waste; recreational fires are also allowed. Some of the photos depicted the burning of yard waste, which is permissible in the City limits. Merlene Sievers had requested that the City Council consider disallowing all burning within the City limits. Mayor Larsen pointed out that even if the City Council were to ban the burning of yard waste in the City limits, it would still be legal to burn wood in stoves and fireplaces, and recreational fires would still be allowed.

Shepherd agreed that residents should not burn piles of debris and furniture in the City limits, especially when the City Council allows for the collection of large items during general garbage pickup. The debris piles, as shown in the photos, were located on two or three properties. Fire Chief Justen Tooley had recommended that if residents see someone burning illegally, it should be reported to 911. After a brief discussion, Abel was instructed to send abate of nuisance letters to the owner of the large debris pile, stating that the pile must be removed within ten days of receipt of the letter. The letter is to also state that it is not permissible to dispose of the pile by burning. Abel was also instructed to send letters to residents who have been burning illegally stating that the Fire Department will be called and citations will be issued by the Pottawattamie County Sheriff's Department should the burning practice continue.

Abel was instructed to publish a notice in the Walnut Bureau reminding residents that the City maintains a yard waste site as an alternative to burning. The notice is to include the rules for burning in the City limits.

The Council members agreed that they will continue to act on nuisance problems as written complaints are received. Some of the letters that have been sent by the City recently have resulted in favorable improvements to nuisance problems.

The acquisition of 308 Atlantic Street is progressing. Abel reported that the City Attorney had recently filed a final Affidavit, and the City is required to wait another 120 days after the filing before it would be possible to remove the house. Mayor Larsen assured the Council members that the City is in the final stages of taking full possession of the property. Blum noted that he will begin to get samples for asbestos so that the City is ready to remove the house as soon as it becomes legally possible.

Cheryl True reported that she had received bids from two companies to prune the trees in the Business District. ProLawn Environmental Services, of Walnut, Iowa, had submitted a bid in the amount of \$828.00 to prune the trees; however, the company did not provide a bid for the replacement of three trees including stump removal. Kautzky Tree Care, of Adair, Iowa, had submitted a bid in the amount of \$875.00 to prune the trees and a bid of \$250.00 to remove two trees and grind stumps. Kautzky had also included prices for various sizes of crabapple trees and lilac trees. The Council members reviewed both bids in detail. True recommended that the City hire Kautzky for the tree services and that the City also purchase any replacement trees from the Adair company. Cheryl stated that it would possibly be fall before the company prunes the trees.

Three of the trees in the sidewalk need to be replaced, and True indicated that she preferred lilac trees over crabapple trees. After further discussion, the Council members decided to replace the three trees with 1 3/4" diameter lilac trees.

Motion by True, seconded by Bierbaum to approve the bid submitted by Paul Kautzky of Kautzky Tree Care of Adair, Iowa to prune the trees in the sidewalk of the Business District. The company will also remove three stumps and replace three of the trees in the Business District sidewalk. The City will purchase three 1 3/4" diameter lilac trees from Kautzky Tree Care, which will serve as the three replacement trees. The total

cost of the project is not to exceed \$1,800.00. Ayes: Shepherd, True, Bierbaum, Frahm. Carried.

Abel was instructed to contact Kautzky Tree Care to inform the company of the Council's decision.

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

The Council members were provided with information regarding the City's possible membership in Keep Iowa Beautiful. After a brief discussion, the decision was made to forego membership in the organization.

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.

Abel reported that someone had again recently fallen on the sidewalk in front of the Post Office; the sidewalk has deteriorated, and it is in extremely poor condition. Abel recommended that the City require the owner of the Post Office to replace the sidewalk. True commented that the sidewalk near the bakery is also in need of replacement. Abel reminded the Council members that the City pays one-half of the cost to replace commercial sidewalk. When asked, Abel stated that there is money in the budget for the replacement of sidewalks; however, there is not enough money allocated to replace all of the sidewalk in the Business District. Mayor Larsen stated that he would talk to the owner of the Post Office concerning the condition of the sidewalk in front of the building, informing the owner of the City's program for sidewalk replacement.

The Council members were provided with a pay request for rehabilitation of 509 Walnut Street. In conjunction with the review of the pay request, Mayor Larsen explained some of the details pertaining to the Housing Rehabilitation Program. The City was awarded a 2009 Community Development Block Grant for \$245,800.00 to assist approximately seven low-and-moderate income persons within the City limits to make improvements to their homes. The City obligated \$25,000.00 of local funding toward rehabilitation costs. Participants are required to sign a mortgage lien/promissory note for a five-year period. If the owner occupies the house for five years, there will be no repayment obligation. Sale or transfer of the dwelling prior to the five years would require at least a partial repayment of the grant funds.

Motion by Shepherd, seconded by True to approve Pay Request #1 in the amount of \$1,844.00 in favor of Walnut Creek Construction for rehabilitation of 509 Walnut Street. Ayes: Shepherd, Frahm, Bierbaum, True. Carried.

Mayor Larsen reported that Dennis Book's term as a member of the Zoning Board of Adjustment had expired, and Denny had agreed to serve on the Board for another term. Mayor Larsen recommended that the City Council reappoint Dennis Book as a member of the Zoning Board of Adjustment. Book's new term would expire in June of 2017.

Motion by Shepherd, seconded by True to reappoint Dennis Book to a five-year term on the Zoning Board of Adjustment. Ayes: Bierbaum, Shepherd, True, Frahm. Carried.

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

Motion by Shepherd, seconded by Frahm to adopt Resolution 12-06-01, A RESOLUTION TRANSFERRING \$8,169.67 FROM THE LOCAL OPTION CAPITAL IMPROVEMENTS FUND INTO THE CITY'S GENERAL FUND. Ayes: Bierbaum, True, Shepherd, Frahm. Carried.

Motion by Shepherd, seconded by True to adopt Resolution 12-06-02, A RESOLUTION TRANSFERRING \$175,000.00 FROM THE LOCAL OPTION CAPITAL IMPROVEMENTS FUND INTO THE STREET IMPROVEMENTS CAPITAL PROJECT FUND. Ayes: True, Bierbaum, Frahm, Shepherd. Carried.

Motion by Shepherd, seconded by Bierbaum to adopt Resolution 12-06-03, A RESOLUTION TRANSFERRING \$74,380.00 FROM THE CITY'S TIF FUND INTO THE CITY'S DEBT SERVICE FUND. Ayes: Shepherd, True, Bierbaum, Frahm. Carried.

Motion by Shepherd, seconded by Frahm to adopt Resolution 12-06-04, A RESOLUTION TRANSFERRING \$607.54 FROM THE CITY'S GENERAL FUND

INTO THE FIRE DEPARTMENT FIRE EQUIPMENT FUND. Ayes: Frahm, Bierbaum, Shepherd, True. Carried.

Relative to discussion of City maintenance, Mayor Larsen reported that a recent water main break has been repaired; however, it took the services of a leak locator to discover the source of the break. Because of the dry weather, the leak was not visible above ground until it had leaked for one week. In other words, it took a long time for water to pool on the ground. The leak amounted to approximately 50,000 gallons per day.

Blum reported that the tractor has developed a hydraulic leak, and it is being repaired. Coincidentally, the warranty on the tractor ended on June 2, 2012; the repair work is being performed under warranty.

The new City pickup will be available around the first part of July.

Jim stated that the City men have been preparing for the upcoming Antique Show. They plan to clean the streets, and there is some signage that needs to be installed. They are also making plans to install the new sand volleyball court after the Antique Show.

Mayor Larsen requested that the City men reinstall the community sign where it was previously located several years ago. Ron Hansen had given his permission for the sign to be located on his property, which is located at 1000 Antique City Drive. The City men are to check with Hansen once again to make certain that he is still agreeable to the location of the sign.

There were no Mayor items or announcements.

Relative to Council items and announcements, a reminder was given regarding the 2012 Small City Workshop that will be held on June 7, 2012 at the A-H-S-T Community School. Abel, Mayor Larsen, and four of the Council members are planning to attend the training.

The Council members received information regarding the Iowa Downtown Summit, which will be held on August 21-22, 2012 at Keokuk, Iowa.

The Council members were also provided with information pertaining to the Iowa League of Cities 2012 Annual Conference & Exhibit, which will be held in Sioux City on September 26-28, 2012. Abel indicated that she is planning to attend the conference. Anyone who is interested in attending the training is to contact Abel so that she can make the proper reservations.

Relative to public items and announcements, Linda Booth noted that a Community Development Committee exists that is supposed to approve any color schemes that are used to paint the outside of the buildings that are located in the Walnut Historic District. She noted that one building was recently painted, and she questioned whether the color was approved by the committee, of which she is a member. She questioned whether something could be done to make certain that all new business owners in the Historic District are aware of the regulations of the ordinance. Bob Martens pointed out that there is no chairperson for the committee, which, by ordinance, is supposed to meet at least once a month. Martens felt that it would be advantageous if the committee would elect a chairperson who would oversee the activities of the committee. Members of the committee are appointed for three year terms, and they are eligible for reappointment for a consecutive three year term. After a member has served for six consecutive years, he/she will not be eligible for reappointment for another three year term until he/she has been off the committee for a one year period.

Abel commented that the powers of the committee are advisory only; she also stated that building permits are not required to paint a building. Abel said that the personnel of City Hall will make a concerted effort to provide new business owners with a copy of the Walnut Historic District Development ordinance so that the new owners are aware of the regulations.

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

The Council members discussed a personnel issue concerning Wayne Rush. Mayor Larsen reported that Rush had contacted him asking that Larsen talk to the Council members about a possible increase in wages for Rush. Larsen reminded the Council members that when wages were discussed last December, the Council members had stated that they would consider an increase in Rush's wages in the middle of the year should he successfully pass his certification tests. When questioned, Blum stated that Rush passed one of his tests; however, he had failed the second test twice. Rush had a total of three tests to take; he passed the first test as previously stated. Jim stated that Wayne will have to wait six months before he can again take the second test.

Rush is certified as a Grade 1 Water Treatment and Water Distribution operator. Walnut's Water Plant is a Grade 2 plant, so Rush would not be qualified to operate the Water Plant in the event that something should happen to Blum. Rush would be able to perform water tests; however, he would not be able to operate the Water Plant or sign reports. Blum stated that the Iowa Department of Natural Resources is satisfied with Rush's certification status as long as Rush is not considered the operator in charge. Should something happen to Blum or he should leave employment with the City, the City would be required to hire a qualified individual to sign all reports and be in direct charge of the Water Plant.

Shepherd stated that Rush received an increase in wages in December of 2011, and she reminded the Council members that they had stated that they would consider an increase for Rush after he successfully passed his tests. Shepherd did not feel that the Council should give him an increase in wages at this time. Mayor Larsen stated that the City will allow Rush to study for his tests at work two days before the date of the testing; Wayne will need to make time to study at home should he require more preparation. Iowa Rural Water has assisted Rush with studying for his tests. Jim commented that it would be possible for Wayne to take more classes to prepare for the examinations.

Blum stated that Rush does a good job for the City; Jim was not certain whether the City Council should push Wayne to continue to take the tests. Jim stated that the DNR had recommended that Rush obtain Grade 2 certification; however, it is not a DNR requirement that he do so. The Department of Natural Resources is satisfied as long as there is a Grade 2 operator in the system.

It was noted that the City Council evaluates the employees and considers wage increases in December of each year. No action was taken by the City Council to grant an increase in wages to Rush. It was the consensus of the Council to wait until December to review wages.

#18384 Terri Abel, wages	1,136.55
#18385 James Blum, wages	1,107.95
#18386 Wayne Rush, wages	879.55
#18387 Shannon Wood, wages	359.17
#18388 United Bank of Iowa, purchase of a CD for Library	200,000.00
#18389 Sherry Jacobsen, wages	21.08
#18390 Sherry Jacobsen, wages	21.56
#18391 Herb Wood, hauling; rent of dumpsters, recycling fees	3,010.00
#18392 Wellmark Blue Cross Blue Shield, employee insurance	5,876.06
#18393 Cardmember Service, bricks; bulbs; anti-virus software; training	422.62
#18394 Terri Abel, wages	1,136.55
#18395 James Blum, wages	1,107.95
#18396 Wayne Rush, wages	879.55
#18397 Shannon Wood, wages	357.04
#18398 U.S. Postmaster, billing postage	126.40
#18399 Ransom Development, interest due – development agreement	7,155.79
#18400 Terri Abel, wages	1,136.55
#18401 James Blum, wages	1,107.95
#18402 Sherry Jacobsen, wages	56.94
#18403 Margo Matthies, wages	953.99
#18404 Wayne Rush, wages	879.55
#18405 Judy Schrecengost, wages	203.89
#18406 Shannon Wood, wages	333.69
#18407 Terri Abel, wages	224.21
#18408 James Blum, wages	431.45
#18409 Wayne Rush, wages	219.85
#18410 Atlantic Motor Supply, pump filter	7.18
#18411 Atlantic Pest Control, spray fire station	50.00
#18412 Avoca Building Material Center, mail boxes for seniors	171.04
#18413 Avoca Red-E-Mix, Inc., concrete for pads in park	410.00
#18414 Banyon Data Systems, Inc., software support	\$1,540.00
#18415 Bob Martens, building permit fees	30.00
#18416 Brodart Co., book supplies	333.29
#18417 Cappel's, water fittings; fertilizer; herbicide	23.20
#18418 Carley Drug Co., shipment of samples	109.55
#18419 Center Point Large Print, books	41.34

#18420	Central Iowa Distributing, Inc., cleaner; towels; toilet paper	133.35
#18421	Cheryl True, mileage	26.64
#18422	City of Walnut, refund of water deposits	100.00
#18423	Counsel Office & Document, copier maintenance; copier	3,921.73
#18424	Dona Grooms, Treasurer fee	100.00
#18425	Dorsey & Whitney, consults	2,575.50
#18426	Ed M. Feld Equipment Co., Inc., extinguisher service; extinguisher	474.00
#18427	Gale, books	1,005.07
#18428	Heiman, Inc., fire gear names	297.05
#18429	IMWCA, workers' compensation insurance	7,976.00
#18430	Ingram Library Services, books	50.40
#18431	Iowa Department of Transportation, sign permit fees	30.00
#18432	Iowa One Call, One Call locates	20.10
#18433	Iowa Prison Industries, trash bags	229.79
#18434	I.P.E.R.S., withholdings	1,605.86
#18435	Jason Erickson, refund of water deposit	50.00
#18436	Jessica Newcomb, cleaning City Hall	50.00
#18437	Kasperbauer Cleaners, Inc., clean mats	50.03
#18438	Kevin Horner Live, summer program	289.00
#18439	Kum & Go, fuel	541.83
#18440	Liberty Auto Restoration, Inc., batteries; tanker repair	2,129.11
#18441	Lookout Books, books	178.38
#18442	Louie's Garage, mower tire repair	15.00
#18443	Margo Matthies, supplies; DVD's; books	339.48
#18444	MidAmerican Energy Co., gas & electricity	2,885.94
#18445	Municipal Management Corp., leak location	900.00
#18446	My Nest Greenhouse, plants	634.16
#18447	Orschelns, net materials – sand volleyball court	79.52
#18448	Outdoor Recreation Products, phase 2 splash pad	8,051.00
#18449	Pottawattamie County Treasurer, landfill fees	3,387.50
#18450	Quill Corporation, supplies; chairs	368.11
#18451	Robinson True Value, keys	11.16
#18452	Rose City Canopy, Inc., splash pad rules sign	270.00
#18453	Salvo, Deren, Schenck & Lauterbach, consults	256.00
#18454	Sam's Club, supplies; books; magazines	99.47
#18455	Schildberg Construction Co., gravel	954.36
#18456	State Hygienic Lab, water and sewer testing	274.00
#18457	Super Foods, bleach	4.46
#18458	Terri Abel, mileage	19.98
#18459	U.S. Postmaster, postage	90.00
#18460	Upbeat Inc., bench; picnic tables; bicycle rack	5,395.51
#18461	Upstart, summer story time	61.80
#18462	USA Blue Book, chemical pump	199.13
#18463	Verizon Wireless, cell phones	137.94
#18464	Walnut Bureau, publication	133.19
#18465	Walnut Creek Construction, housing rehabilitation	1,844.00
#18466	Walnut Telephone Co., phone; fax; Internet	233.76
#18467	Western Iowa Development Association, FY 12-13 dues	1,970.00
#165E	Internal Revenue Service, Federal withholdings	798.51
#166E	Internal Revenue Service, Social Security withholdings	1,214.04
#167E	Internal Revenue Service, Medicare withholdings	338.50
#168E	Employee Benefit Systems, insurance handling fee	77.49
#169E	Employee Benefits Systems, insurance partial self-funding	1,474.62
#170E	EMS Billing Services, Inc., ambulance billing service	192.92

Summary of Receipts: General, 26,571.70; Mun. Ent., 11,514.00; Road Use Tax, 5,800.32; Trust & Agency, 9,300.84; Water, 10,922.05; Sewer, 3,651.55; Water Revenue Bond Sinking Fund, 1,650.00; Fire Equipment Fund, 1,921.10; Customer Water Deposit, 100.00; Local Option Capital Improvements Fund, 6,809.69; TIF Fund, 13,475.84; Splash Pad Fund, 75.00; IPAIT Fire Account, .14; IPAIT Library Account, 643.26; EBS Account, 1,474.62; TOTAL: 93,910.11.

Meeting adjourned, 7:30 p.m.

Gene Larsen
Mayor

Terri L. Abel
City Clerk