

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 18, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Jim Vowels, Gary Grace, Fred Ribich, and Cyndi Ecker. Absent: Gary Boorum

1. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Grace

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Minutes.**

Moved By:

The August 4, 2008 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Employee Highlights.**

The Council welcomed Mitch Hagen and Cory Stephens to the City of Waverly.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on plans, specifications, form of contract and estimated cost for the for the New Recycling Center Project . City Engineer Cherry stated that the site grading has begun. Some initiatives created from 99 flood were the removal of 4th Street SE culverts, the 10th Ave East corridor was extended as an exit for Crestwood residents and dry run culverts were constructed on 12th Street NW and in the field across from Krueger Auto. The City conducted a flood study and inflatable dam study and a Task Force studied the Green Bridge. Staff informed Deb Turnball that \$1,455,000 were transfers from the Enterprise Funds for the Public Services project. Public Works Phase 1a Grading was paid by said transfers. City Administrator Crayne informed Ron Camaratta and Deb Turnball that past transfers of \$100,000 were part of the budget to offset future construction costs and support operations. Discussion followed on increase of water, sewer and solid waste rates. Donna Turnball stated that if the Council held off approving the recycling project it would free up funds for the buyout program. Ron Camaratta announced that the Waverly Citizens United was formed with the intent of finding resources to provide permanent housing for Waverly citizens affected by the flood. FEMA will not make a decision on buyouts until next year and winter is fast approaching. Waverly Citizens United is asking that the Recycling Center be put on hold and monies in the recycling center construction fund be used to assist homeowners and businesses in their rehabilitation of their properties in a timely manner. The Group presented Council with petitions signed by 196 people. Tracy Rucker of Governor Chet Culver's Recovery Task Force stated that said Task Force will reprioritize all capital spending to provide for humanitarian needs. Kevin Tjepkes asked the Council to put projects aside to help citizens. City Administrator Crayne also informed audience members that restricted funds are used for bond payments. Unrestricted funds are in support of the enterprise funds and to be used for operations. Only one time were enterprise funds used for recreation purposes. Mardi Perry stated that she was going through northeast, northwest and southwest Waverly and was surprised at the amount of homes that are still uninhabitable. She asked the Council to reconsider the Recycling Project until a later time and help citizens get back into their homes. Deb Dana informed Council that

some residents would not sign the petition presented to Council because they feared their name would be removed from the buyout list.

Moved By: Ribich

Resolution 08-110, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the New Recycling Center Project is hereby approved.

Moved by Liddle

To table Resolution 08-110 is hereby approved.

Yes: 6

No: 0

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Staff informed Donna Turnball that all Waverly contractors have furnaces but can't keep up with installation.

Discussions have taken place with Natural Resources Conservation Service regarding the stream channel in front of Waverly Bowl.

Joel Rochford questioned staff on whether primary homes will be chosen before secondary (rental) homes. Mr. Rochford stated that a lot of rental units have been lost and losing business. Staff is trying to prioritize the buyouts and suggest removing housing from the floodway first and then the substantial damaged homes in the floodplain. It will be a Council decision at the August 25th Study Session. Administrator Crayne informed Mr. Rochford that there are 156 homes on the buyout list but some have not submitted the values or the amount of damage to their properties. Rental properties were included in the FEMA buyouts from the 99 Flood Event. FEMA has sent out teams to estimate the values of the flood damaged properties in Waverly.

Judy Kahler stated that 4th Avenue and Iowa Street is bad and should be considered in the next sealcoat program.

Deb Dana questioned staff on the assessed value of her home.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Pay Request from PMDI Architects for Design and Administrative Services for Golf Course Improvements Project – 2008 in the amount of \$4,05.52.
3. Pay Request from Synder and Associates for the 4th Street SW Reconstruction Project in the amount of \$3,792.36.

Moved By: Ecker

Items 1&3 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

2. Pay Request from The Bruce Company of Wisconsin, Inc. for the Golf Course Expansion Project - 2008 in the amount of \$231,351.74.

Leisure Services Director Ray informed Council that the DNR had been to the Waverly Golf Course. The DNR found renovation stormwater discharge procedures are in compliance. Staff will check on fuel tanks by the Golf Course.

Item 2 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Report from Waverly Bremer County Entity Board on Approval and Implementation of a Reverse 911 System at the Law Center.**

Police Chief Pursell informed Council that the CodeRED service is provided by the Emergency Communications Network Company and is a high volume-high speed communication service available for mass emergency notifications. The system defines the calling data base using the CodeRED Internet Mapping tool and client calling lists, records the message using the CodeRED Interactive Voice Response line

and then launches the calls. The Emergency Communications Network provides Waverly with the data base. Waverly may add number from additional data base (911, utilities) to enhance the accuracy and Waverly residents can easily add their numbers if they are not in the data base or add cell phone numbers. The CodeRED can deliver up to 1,000 calls per minute, deliver the message in its entirety to voicemail and answering devices and reports whether the message was delivered to a person, answering machine or if the call was not answered. CodeRED's long distance providers are located in multiple facilities around the country so the system will operate without regard to any situation that may exist with the business facilities or structures. If computers go down or access to the internet is lost, a CodeRED calling can still be executed by phone. The CodeRED program was purchased through the Bremer-Waverly Law Enforcement Board. The CodeRED system will be available for all residents within Bremer County. The cost of the system is \$10,000 annually and is guaranteed as long as the County is an active customer. The price includes 30,000 call minutes and 24 hour support.

2. **Approve an Agreement for Engineering Services for the Bremer Avenue Traffic Signals Modifications.**

The agreement covers Part A Traffic Study, Part B Design Services, and Part C Construction Services. Upon completion of the traffic study, a presentation will be given showing an animated demonstration of the anticipated corridor operations with the proposed improvements with approval by Council to proceed to Part B. The current traffic signal system was installed in 1980 and the City cannot get replacement parts. The City will no longer have to pay \$4,500 in conduit rent because the new system is wireless. The proposed study will examine appropriate phasing, light sequence and emergency vehicle preemption.

Moved By: Ribich

The Agreement for Engineering Services with Snyder & Associates for the amount of \$106,544 is hereby approved.

Yes: 5

No: 1(Liddle)

Absent: 1

3. **Resolution 08-112, A Resolution Approving New Parcel "W" for Riggs 4th Street Investments, LLC.**

An amendment to the resolution is "WHEREAS, respective property owners of Parcels "E" and "W" will also provide a cross access easement to and from each parcel as a contingency prior to plat recording."

Moved By: Grace

Resolution 08-112, A Resolution Approving New Parcel "W" for Riggs 4th Street Investments, LLC is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Resolution 08-113, A Resolution Stating the Existence of Some Public Improvements That Are in Need of Repair and Approving the Extension of the Sidewalk Performance Guarantee for Centennial Oaks Golf Club Addition - Phase 1D.**

City Engineer Cherry stated that the "Letter of Credit" is more streamlined and is a contract with the developer to complete sidewalks in said subdivisions. Phase 3A of Centennial Oaks Golf Club Addition has not been accepted by the City due to manhole settlement issues.

Moved By: Ecker

Resolution 08-113, A Resolution stating the existence of some public improvements that are deemed in need of repair and establishing a completion date of

October 31, 2008 and extension of the sidewalk performance guarantee in Centennial Oaks Golf Club Addition – Phase 1D is hereby approved.

Yes: 6

No: 0

Absent: 1

10. **Resolution 08-111, A Resolution Finalizing the 2008 Bituminous Seal Coat Program and Approving Final Request.**

Moved By: Ecker

Resolution 08-111, A Resolution Finalizing the 2008 Bituminous Seal Coat Program and Approving Final Request in the amount of \$7,224.17 to Steffes Construction, Inc. is hereby approved.

Yes: 5

No: 1(Liddle)

Absent: 1

11. **First Reading of Ordinance 901, An Ordinance Amending Chapter 102 of the Waverly Municipal Code Regarding Flood Plain Management**

Administrator Crayne stated that he was not sure the proposed language regarding "substantial improvement" was in direct conflict with FEMA regulations and wanted to bring it to the Council's attention. Gordon Bau of FEMA informed Council that changing definitions in City's Flood Plain Ordinance does have repercussions. The Federal Code Title 44 is the standard and if the City Code contradicts the Federal Code the City could lose its eligibility for FEMA funds. The Federal Code comes back to safety and health issues and its standard is to clean up the flood plain. If a homeowner wants to repair their home in a floodplain they have to elevate 1 foot above the 100 year flood stage. FEMA can also provide an appraiser. If the City proceeds in liberalizing and limiting standards FEMA will have to review the City's Flood Plain Ordinance again. The homeowner's labor is considered with the 50% damaged value. Butch Kehe stated that the intent of the proposed amendment is not to liberalize language but to refine said language. It is also protects the homeowner, minimizes costs to FEMA and minor changes will not increase the market value of the home. Discussion followed on DNR language regarding flood plain management and not approving the proposed substantial damage language in the ordinance. Janelle Stuva voiced her concerns why her house was not raised after the 99 flood. Staff informed Ms. Stuva that the ICC on her flood insurance will help her raise her house to the correct flood level.

Moved By: Vowels

First Reading of Ordinance 901, An Ordinance Amending Chapter 102 of the Waverly Municipal Code Regarding Flood Plain Management further defining substantial improvement and market value is hereby approved.

Yes: 4

No: 2(Ribich,Lieb)

Absent: 1

12. **Approval of July Cash Disbursements.**

Moved By: Ribich

July Cash Disbursements are hereby approved.

Yes: 6

No: 0

Absent: 1

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**
2. **Reports.**
3. **Communications.**

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Councilmember Grace asked if there is any way to accelerate the FEMA buyout program and could the City advance flood victims money to repair their homes. The City could remove housing that is deemed an immediate threat. Administrator Crayne stated that instead of using funds for the public works project the City could sell General Obligation Bonds for a general corporate purpose. The City will free up some debt in 2012-13 and new bonds for flood issues could be structured where the interest rate increases as the bonds matures. The City is developing the buyout list for Council approval to submit to FEMA in September. Discussion followed on FEMA trailers. Guest Councilperson Dan Kittle stated that the Bremer County Long Term Recovery Coalition is working with Federal and State agencies to provide case management for flood victims and assist them in their recovery efforts.

Discussion followed on sidewalk guarantee and retention basin in Impala Subdivision and a public/private partnership for storm water runoff in Emery Circle.

I. **ADJOURNMENT.**

Moved By: Ribich

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 9:25 P. M.

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk