

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on October 6, 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, Gary Boorum, Fred Ribich and Cyndi Ecker. Absent: None. Jim Vowels came in late and Gary Boorum left early.

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 (Vowels)

2. **Minutes.**

Moved By: Ecker

The September 15, 2008 and September 22, 2008 Council Meeting Minutes are hereby approved as amended by replacing the word "curbs" with "potholes in street" under City Council Comments on Policy Issues.

Yes: 6

No: 0

Absent: 1 (Vowels)

3. **Guest Councilperson.**

Council welcomed Monty Gritzner as Guest Councilmember for October.

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 5th Street NW and 5th Avenue NW Reconstruction Project. City Engineer Cherry informed Council that the project involves rebuilding 5th Street NW from Bremer Ave. to 5th Ave. NW and resurfacing 5th Ave. NW from 1st Street NW to 12th Street NW. City Engineer Cherry stated that 5th Ave. NW was reconstructed in 1997 and 3,500 cars a day travel on said corridor. When 5th Street NW is reconstructed next year the crown will be reduced. The hearing was declared closed and the following action was taken.

Moved By: Ribich

Resolution 08-132, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the 5th Street NW and 5th Avenue NW Reconstruction Project is hereby approved.

Yes: 6

No: 0

Absent: 1 (Vowels)

C. VISITORS/PUBLIC COMMENTS.

Deb Turnball informed Council that Waverly Citizens United is starting their "Stuff the Stockings Campaign" this Saturday and will drop off boxes at different locations in Waverly.

Shauna Haas of the Iowa Long Term Community Recovery invited the Community to come to an open forum to discuss long term community needs at the Civic Center on Thursday evening October 9th from 6:00 – 8:00 P. M.

Councilmember Vowels joined meeting already in progress.

D. TABLED ITEMS.

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

Councilmember Ribich does approve the City's participation in flood housing. Mr. Ribich feels that Public Services are at the heart of the community and responded to the flood and recovery efforts. The new Recycling Center would improve the safety of residents dropping off recyclables mixed with big City equipment. A Public Services Complex would provide efficiency of services and house equipment from inclement weather. The Public Services building has been a top priority of Council's Strategic Planning for 5 to 6 years. Councilmember Liddle voiced his concern with building the recycling center first instead of the Public Services facility in order to maintain equipment. Councilmember Grace stated that the bid from Modern Builders was lower than expected and the building will only cost more later. Administrator Crayne reviewed 2008 Jumpstart Housing Assistance Program where flood victims can get owner occupied rehabilitation/repair assistance, down payment assistance, and interim mortgage assistance. The City may also apply for CDBG assistance. Bremer County Recovery Coalition is working with the Christian Reformed World Relief Committee to provide case management services to all flood victims. Councilmember Ecker stressed that the source of funding to complete the recycling building is already available. Councilmember Vowels urged the Council to wait until the City finds out what the flood costs are. Rick Stensland stated that Modern Builders participated in the flood cleanup efforts and also have ten employees that have been affected by the flood. Mr. Stensland emphasized the need for the City to rebuild and continue to grow. Guest Councilperson Monty Gritzner agreed that the new location would provide a safer environment and asked if it would be modeled after the Cedar Falls Recycling Center. City Engineer Cherry also informed audience members that the new Public Services' location would have two entrances, one for the public and another for staff and equipment. The recycling center would have public parking and stalls to deposit materials. Staff informed Ron Camaratta that the Recycling Center does not provide net revenue but lowers landfill costs. Mr. Camaratta voiced concerns with raising water and sewer rates and to use Recycling money to fix lift stations. Mardi Perry believes that the timing is not right for the recycling center and flood victims have major restorations ahead of them. Paul Pines felt that flooding issues were more important than the recycling center project. Councilmember Lieb questioned whether the City should be doing any projects until FEMA has made their decision on buyouts. City Engineer Cherry informed audience members that the City has been looking at flood mitigation for twelve years. In the past when the City looked at the Inflatable Dam and Dry Run mitigation the Army Corps of Engineers and FEMA both said the costs would not offset the benefit. Both agencies will review the proposals again. Discussion followed on asking the contractor to hold his bid for the project. The notice of letting is presented when the public hearing is set. Mayor Ackerman told audience members that the City cannot ask the contractor to hold his bid. Councilmember Grace suggested that Council review all projects at budget hearings. Mayor Ackerman stated that WSR Schools have 73 new students and that shows that Waverly does have its priorities in order and continues to grow. Councilmember Liddle reminded Council of the petition that was presented against the recycling center project.

City Administrator Crayne stated that plans and costs for flood controls have not been determined at this time.

Moved By: Ribich

To remove from the table.

Yes: 7

No: 0

Absent: 0

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.

Yes: 4

No: 3 (Liddle, Vowels, Lieb)

Absent: 0

2. **Resolution 08-121, A Resolution Awarding Contract for the New Recycling Center.**

Moved By: Grace

To remove from the table.

Yes: 7

No: 0

Absent: 0

Moved By: Ecker

Resolution 08-121, A Resolution Awarding Contract for the New Recycling Center to Modern Builders of Janesville, Iowa in the amount of \$681,950.00 is hereby approved.

Yes: 4

No: 3(Liddle, Vowels, Lieb)

Absent: 0

E. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments for Lead Based Paint II in the amount of \$340.13.
2. Pay Request from Northland Regional Council of Governments for Rehab II in the amount of \$399.66.
5. Pay Request from Design Alliance, Inc. for the Waverly Recycling Center in the amount of \$983.10.
6. Pay Request from PMDI Architects for Design and Administrative Services for Golf Course Improvements Project – 2008 in the amount of \$1,091.62.
7. Pay Request from Kehe Construction for Water Pollution Control Facility Improvements in the amount of \$37,880.30.
8. Pay Request from VJ Engineering for the Public Services Site Development Staking in the amount of \$477.50.
9. Pay Request from VJ Engineering for the Water Division Building Flood Repair in the amount of \$81.25.
10. Pay Request from VJ Engineering for the Alley Bridge Flood Repair in the amount of \$116.25.
11. Pay Request from VJ Engineering for the Big 6 Plaza Spillway Flood Repair in the amount of \$1,968.00.
12. Pay Request from Heartland Asphalt, Inc. for the 5th Avenue SW & 8th Street SW Reconstruction 2008 in the amount of \$31,399.26.
13. Pay Request from Keller Construction for the Drainage Improvements 2008 in the amount of \$24,883.35.
14. Pay Request from Peterson Contractors, Inc. for the Public Services Site Development – Phase 1a Grading in the amount of \$22,926.35.

Moved By: Boorum

Items 1-2 and 5-14 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

3. Pay Request from Iowa Northland Regional Council of Governments for the Hazard Mitigation Plan 2007 Update in the amount of \$844.57.
Adam Roberts from INRCOG informed Council that the charges are for staff persons and associated costs incurred in the administration of the contract.
4. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$15,169.44.
Charges are for field survey and preliminary design work. The IDOT has verbally agreed to fund the City \$400,000 for said project.

Items 3 and 4 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

F. REGULAR BUSINESS.

1. **Bremer County Recovery Coalition will provide a preliminary report to Council on community needs resulting from a survey conducted by the Green Shirts.**
Renee Sedlecek reviewed results of the Christian Reformed World Relief Committee "Green Shirt" Assessment of Bremer County conducted from September 29th through October 3rd. 103 Bremer County residents have needs, and have completed assessment forms. 12 of the 103 residents had urgent, immediate needs. 91 residents have no needs. And 479 were left call-back flyers when the resident could not be contacted. All buyout list participants were sent postcards and the media was informed. Councilmember Ecker said she informed the Green Shirt team of her neighbor's names that were not home. Ms. Sedlecek informed Mardi Perry that they had requests for 27 furnaces but contractors are in high demand. Bremer County Recovery Coalition will meet with Lutheran Services in Iowa to begin reviewing assessments and to begin the case management process. It is not too late to register for a Green Shirt assessment. The City will be working with the Bremer County Recovery Coalition.
2. **City Administrator Dick Crayne will Report on Flood Assistance Program.**
City Administrator Crayne reviewed the 2008 Jumpstart Housing Assistance program facilitated through the Iowa Regional Council of Governments. The Jumpstart Program provides three kinds of assistance; owner occupied rehabilitation/repair assistance, down payment assistance, and interim mortgage assistance. Mortgage assistance would be up to \$1,000 per month up to 12 months maximum, repair assistance would be up to \$50,000 less what has been paid out. Loan reimbursement up to \$50,000 if you live in the residence 5 years otherwise property owners have to return said loan. Down payment assistance is for purchase of replacement housing for a not-to-exceed figure of \$50,000. INRCOG is facilitating the applications and it is on a first come first serve basis. The only requirement is that you have to be registered with FEMA. Flood victims can also receive energy efficient assistance. Small Business Recovery would be equivalent to 25% of the disaster loan to a maximum of \$50,000. Business owners are urged to contact INRCOG.

3. **Resolution 08-138, A Resolution Approving a Professional Services Agreement Between the City of Waverly and Stanley Consultants for the Waverly – Flood Mitigation Assessment.**

City Engineer Cherry informed Council that Stanley Consultants will look at Flood Mitigation measures such as Flood Inundation Mapping, Storm Sewer Analysis at 2nd & 3rd Avenue NW near the River, Rubber Dam Feasibility and cost estimate, Dry Run Creek Hydraulic Modeling and Corridor Study, and assist the City in identification of and application for outside funding. Stanley Consultants will help identify realistic mitigation efforts and analyze flood related issues. Staff informed Guest Councilperson Gritzner that there will be a statewide review of rivers to mitigate future flooding. City staff will also examine possible changes to the Wastewater Plant to withstand a 500 year event and study dry run improvements.

Moved By: Grace

Resolution 08-138, A Resolution Approving a Professional Services Agreement Between the City of Waverly and Stanley Consultants for the not-to-exceed figure of \$49,500 for the Waverly – Flood Mitigation Assessment is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Resolution 08-132, A Resolution of the City of Waverly, Iowa, Re-Awarding Bids to Contractors for Project Number Eleven & Fourteen in the Waverly Housing Rehabilitation Program.**

Moved By: Boorum

Resolution 08-132, A Resolution of the City of Waverly, Iowa, Re-Awarding Bids to Contractors for Project Number Eleven & Fourteen in the Waverly Housing

Rehabilitation Program to Huisenga Construction in the Amount of \$24,902.00 for Project #11 and to Watertight Construction in the Amount of \$23,000.00 for Project # 14 is hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Pay Request from Tiedt Drainage, Inc. of Waverly, Iowa for Tiling and Rock Work at Waverly Tire.**

Kendall Fox stated that he was approached to sign off on damage done to Waverly Tire from Wal-Mart runoff. He feels he cannot sign off on damage until the ditch is dug off in front of Waverly Tire. Staff informed Mr. Fox that they will be working on the ditch in front of Waverly Tire on Thursday. The City will continue to work with Mr. Fox and Wal-Mart on drainage issues.

Moved By: Ribich

Pay Request from Tiedt Drainage, Inc. of Waverly, Iowa for Tiling and Rock Work at Waverly Tire in the amount of \$9,402.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Approving Purchase of a 2009 Life Line Type III Modular Ambulance, Superliner Series.**

\$125,000 was budgeted for the Ambulance and it will be finished in 2009-10.

Moved By: Boorum

Approving Purchase of a 2009 Life Line Type III Modular Ambulance, Superliner Series from Emergency Vehicle Sales & Service of Alexander, Iowa in the amount of \$146,735.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 08-133, A Resolution Proposing the Vacation and Deeding of 2nd Avenue NW Between 1st Street NW and 2nd Street NW for St. Paul's Lutheran Church and School.**

Sally Schneider informed Council that St. Paul's Lutheran Church and School are seeking to use 2nd Avenue NW from 1st Street NW to 2nd Street NW to create a campus atmosphere. Ms. Schneider stated that the street is currently barricaded during school hours and with growth in enrollment there is a demand for a multipurpose room and additional classrooms. Council was concerned with handicap parking, drop-off lanes and whether a fire truck could get to the buildings. St. Paul's will have to maintain the sewer easement as part of the agreement with the City.

Moved By: Grace

Resolution 08-133, A Resolution Proposing the Vacation of 2nd Avenue NW Between 1st Street NW and 2nd Street NW for St. Paul's Lutheran Church and School is hereby approved and sets October 20, 2008 at 7:00 p.m. in the Council Chambers at City Hall as the date, time and place for said public hearing.

Yes: 7

No: 0

Absent: 0

Councilmember Boorum left the meeting.

8. **Proposal from Deb Turnball that the City of Waverly Consider Special Policy Guidelines for Building Services for Structures Impacted by 2008 Flooding.**

Deb Turnball stated that it has become increasingly clear that our local contractors are unable to handle the volume of work needed in the aftermath of the flood and everyday that passes brings the onset of cold weather closer. Flood victims need to get back into their homes and have a need to bring in out of state contractors to put in their furnaces. Contractors in Waverly need to obtain licenses and permits for installation of furnaces, hot water heaters, etc.

Doug Bird of Bremer County Building and Zoning reviewed the fee structure and told the Council that the City Ordinance would have to be amended to waive fees. License fees

are \$45.00 for a contractor and \$25.00 per employee. License testing costs are \$75.00. After further discussion, staff will notify local electrical and plumbing contractors of said proposal.

Mayor Ackerman instructed staff to put the Waverly Citizens United, Inc.'s resolution on the agenda for the next meeting.

9. **Resolution 08-134, A Resolution Approving a Voluntary Assessment Agreement (Water) Between the City of Waverly, Iowa (City), and Michael E. Kukral & Lisa Kramer Kukral, (Property Owner[s]).**

Moved By: Ecker

Resolution 08-134, A Resolution Approving a Voluntary Assessment Agreement (Water) Between the City of Waverly, Iowa (City), and Michael E. Kukral & Lisa Kramer Kukral, (Property Owner[s]) is hereby approved.

Yes: 6

No: 0

Absent: 1 (Boorum)

10. **Establishing Areas for Bow Hunting White Tail Deer on City / Public Property.**

Moved By: Ribich

Bremer County and IDNR are interested in the Bow Hunting White Tail Deer program within the City limits. All State regulations would apply pertaining to licenses, tags, hours and equipment. Leisure Services Director Ray and Police

Chief Pursell thought it would be better to wait until the 2009 season so staff can develop an ordinance and skill testing program. The Council agreed and Councilmember Ribich withdrew his motion until a specific program is identified.

11. **Resolution 08-135, A Resolution Awarding Contract for the Big 6 Plaza/Spillway Flood Repairs-Phase 1.**

City Engineer Cherry stated that the Big 6 Plaza/Spillway Flood Repairs were divided into two phases so that some of the work could be completed this fall. Phase 1 includes repairs to the stairs, sidewalks and landscaping along 1st Street NE adjacent to the Big 6 Building. City Attorney Carney expressed concern for splitting the project but realized that it was an emergency to get the work done yet this fall. The City will receive 90% reimbursement from FEMA and 10% from the State for the project.

Moved By: Ecker

Resolution 08-135, A Resolution Awarding Contract to Tiedt Nursery & Forestry in the amount of \$24,211.04 for the Big 6 Plaza/Spillway Flood Repairs-Phase 1 is hereby approved.

Yes: 6 No: 0 Absent: 1 (Boorum)

12. **Resolution 08-136, A Resolution Approving the Extension of the Sidewalk Performance Guarantee (Letter of Credit) for Rolling Meadow Phase 2A and 2B.**

Moved By: Lieb

A Resolution Approving the Extension of the Sidewalk Performance Guarantee (Letter of Credit) for Rolling Meadow Phase 2A and 2B to October 18, 2009 is hereby approved.

Yes: 6 No: 0 Absent: 1 (Boorum)

13. **Resolution 08-137, A Resolution Noting the Expiration of Maintenance Guarantee for Highpoint Phase 1 Subdivision.**

Moved By: Ribich

Resolution 08-137, A Resolution Stating that the public improvements, constructed and maintained as part of the Highpoint – Phase 1 Subdivision, are deemed to be in a reasonable state of repair and the maintenance guarantee will be released as of October 19, 2008 is hereby approved.

Yes: 6 No: 0 Absent: 1 (Boorum)

14. **Approve Purchase of the Old Aerial Truck from the City of Waverly.**

Moved By: Vowels

The sale of the 1974 Aerial Pumper Truck from the City of Waverly to Jeff Soash for \$2,000 is hereby approved.

Yes: 6 No: 0 Absent: 1 (Boorum)

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Waverly Chamber of Commerce Minutes-discussion on Visitor Center.
Golf Commission Minutes – discussion on subsidy to the Golf Course.
Leisure Services Commission Minutes – Babyland project is almost complete and discussion followed on a name change.

2. **Reports.**

Building Trades Report-18 new housing units shows growth in Waverly.

3. **Communications.**

Letter from PGA Iowa Section – Council congratulated Greg Mason on his award as Golf Professional of the Year.

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Discussion followed on Eisenach Village's sewer capacity, retention pond and the construction 20th Street NW.

Police Chief Pursell announced that residents can sign up for the Code Red System on the City's website.

I. ADJOURNMENT.

Moved By: Vowels

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1 (Boorum)

Council adjourned at 9:44 P. M.

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk