

A. **CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on November 17, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Gary Grace, Fred Ribich and Cyndi Ecker. Jim Vowels arrived at B.1. Absent: None.

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

Moved By: Ribich

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 November 3, 2008 Council Meeting Minutes are hereby approved as amended

- The following wording was added after the minutes were published "After discussion Council corrected the number Resolution 08-145 to read Resolution 08-155"
- and Council approved moving said wording to the last sentence under Regular Business No. 1.

Yes: 6

No: 0

Absent: 1(Vowels)

B. **PUBLIC HEARINGS.**

1. This was the date, time and place for a public hearing proposing the vacation and deeding of Northwestern Drive and Utility Easements within Niewohner Addition Relating to the Eisenach Village Development. Deb Turnball questioned why Bartels Lutheran Home had not paid the City for the easement. City Attorney Carney informed Ms. Turnball that Bartels was investing in unimproved land for economic development. Economic Development Director Jason Passmore informed Ms. Turnball that Eisenach Village Development has offered the City right-of-way along 20th Street NW for future development of said corridor. The last time the area was platted was in 1961. Discussion followed on a future corridor connecting 12th Street NW with 20th Street NW through Eisenach Village. The Council added "and, the Developer has offered the City Right-of-way along 20th Street NW" to the Resolution.

Moved By: Ribich

Resolution 08-156, A Resolution Authorizing the Vacation and Deeding of Northwestern Drive and Utility Easements within Niewohner Addition Relating to the Eisenach Village Development is hereby approved.

Moved By: Ribich

To amend the above Resolution and add wording "and, the Developer has offered the City Right-of-way along 20th Street NW" is hereby approved

Yes: 7

No: 0

Absent: 0

The original motion as amended was then voted upon.

Yes: 7

No: 0

Absent: 0

C. **VISITORS/PUBLIC COMMENTS.**

Shauna Haas of the Long Term Community Recovery invited the Council and Waverly residents to a Community Open House on Saturday November 22, 2008 in the Civic Center from 10:00 A. M. to 2:00 P. M. The Group wants the community to share ideas about recovery issues and the future of Waverly with Waverly community leaders and State and Federal Partners.

Staff informed Council that the City has received \$157,000 from FEMA for infrastructure repairs and had received \$560,000 for debris removal.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Class B Beer Permit for Godfather's Pizza.
2. Class E Liquor License for Hy-Vee, Inc.
3. Pay Request from VJ Engineering for the Water Division Building Flood Repair in the amount of \$1,331.25.

Moved By: Grace

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

Yes: 7

No: 0

Absent: 0

F. REGULAR BUSINESS.

1. **Resolution 08-157, A Resolution Fixing Date for a Meeting on the Authorization of a Loan Agreement and the Issuance of Not to Exceed \$750,000 General Obligation Capital Loan Notes, Series 2009A, of the City of Waverly, State of Iowa, and Providing for Publication of Notice Thereof.**

Mayor Ackerman read a letter from a resident stating the GO Bond issuance could stem panic and allow planning for flood solution and the accommodation of our river, while continuing other essential city projects. Administrator Crayne informed Council that local option sales tax revenue could be used for drainage projects. Mr. Crayne also stated that local options sales tax revenues are currently being used for other uses including the sealcoat program. If said revenues were not used for the sealcoat program then the costs would have to come from other sources. LOST revenues are abating Fire Station project bonds. Other street, sewer and drainage project bonds are currently are abated by LOST revenues. Council also discussed whether the City should issue the \$700,000 bonds for lack of a defined project. The \$700,000 would not even come close to meet inflatable dam costs. The Inflatable Dam project is 75% Federally funded and 25% local match but application has not been filed with EDA. In 2001 during the Cedar River Flood Study estimated costs for the inflatable dam were \$2,200,000. Stanley Consultants will conduct a presentation on November 24th on the inflatable dam. Ron Camaratta asked if the Council could delay bond issuance until we know what flood mitigation costs will be. City Engineer Cherry stated that flood related projects get identified, finished and finalized so that the City can be reimbursed by FEMA. City Administrator Crayne reviewed that the City issued:

- \$1,005,000 General Obligation Bonds to buy the Brown Buildings and \$150,000 for flood expenses.
- \$465,000 General Obligation Bonds \$300,000 for the Big Six Buildings and Kohlmann Bike Building, and \$150,000 for additional buyouts and demolition.
- \$1,000,000 for 10th Avenue West and 29th Avenue
- \$510,000 Sewer Revenue Bond for the Cedar Glyn Project.

INRCOG has not finished the application for the inflatable dam. It will cost \$235,000 to finish the Recycling Center building. The City has completed the property acquisition and grading. There is \$430,000 currently on hand for the Recycling Building. A transfer goes into the project account of \$120,000 in 08-09 and \$140,000 in 09-10 if approved by Council. City Engineer Cherry informed Council that the Recycling Center will house equipment that is currently out in the inclement weather until the new Public Works facility is completed.

No motion was made and the Council withdrew any action on the proposed resolution.

2. **Approve Amendment to the 2008 Strategic Planning Reports.**

Moved By: Boorum

The November 17, 2008 Amendments to the 2008 Strategic Planning Reports by adding flood mitigation as a No. 1 priority is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 08-158, A Resolution Amending Resolution 08-154.**

City Engineer Cherry informed the Council that Resolution 08-154 states that FEMA will fund WHKS & Co. contract. FEMA's policy is that contracts should not refer to

FEMA funding. WHKS & Co. will place the Engineering Services and Contract Management Services in one repair project worksheet for FEMA cost sharing. FEMA does not want to be a party to a contract. City Engineer Cherry also stated that repair of flood damage on the piers of the Cedar River Rail Trail Bridge was divided into two parts and will be reviewed by FEMA representatives in Washington. The design work can be conducted under the direction of the FEMA representative that is in the vicinity now and the project construction and administration will be reviewed in Washington. The incurring design costs have been approved at the State level.

Moved By: Ecker

Resolution 08-158, A Resolution Amending Resolution 08-154 to omit language regarding FEMA and State funding is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **First Reading of Ordinance 902, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions.**

Chief Pursell stated that the proposed parking restrictions on 12th Street NW include:

- Parking is only allowed on 12th St. NW north to the City limits from 5th Ave. NW except in front of the Wartburg Tennis Courts,
- no parking is allowed on the east or west side of 12th St. NW between Bremer Ave. and 1st Ave. NW,
- no parking on east side of 12th St. NW from the glass of the "W" to 5th Ave. NW and
- no parking on the west side of 12th St. NW between 1st Ave. NW to 5th Ave. NW
- No parking on the east side of 12th St. NW between Wilson Ave. and 5th Ave. NW and south on Wilson Ave. to the first private drive.

Moved By: Ecker

First Reading of Ordinance 902, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions is hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Approval of October Cash Disbursements.**

City Engineer Cherry informed Council that the City does get reimbursed for sand bags and flood waste removal but waste removal is not completed.

Leisure Services Director Ray stated that fuel for the Golf Course is purchased from AgVantage.

ChemLawn Services are used at the Airport.

The DNR is monitoring underground tanks by Kellers.

Moved By: Lieb

The October Cash Disbursements are hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Award Bid for 2008 Tractor Backhoe.**

Public Services Superintendent Sullivan stated that the technology in the 410J TMC is electric and provides for a safer operation of the machine, putting more control at the operator's fingertips.

Moved By: Grace

The Bid from Murphy Tractor of Waterloo in the amount of \$89,550 for the John Deere 410J TMC is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Approve Bid for P. C. Concrete Apron Repair at the Waverly Municipal Airport.**

Staff will examine the tripping hazard by the door at the Waverly Municipal Airport Building.

Moved By: Ribich

The Bid for P. C. Concrete Apron Repair from James Custom Homes & Concrete of Waverly in the amount of \$15,007.00 at the Waverly Municipal Airport is hereby approved.

Yes: 7 No: 0 Absent: 0

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

2. **Reports.**
Building Trades Permit Issuance – Mayor Ackerman stated that there has been 3 dwelling permits, 1 duplex and 1 commercial permit issued last month so building continues and feels the City is showing signs of recovery.
3. **Communications.**

H. **CITY COUNCIL COMMENTS ON POLICY ISSUES.**

The rubber dam coupled with dry run creek improvements will bring 500 homes and 100 businesses out of the floodplain. After improvements are completed the City would then have to prepare a letter of map revision. Discussion followed on flood gates.

I. **ADJOURNMENT.**

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:25 P. M .

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk