

**Waverly City Council**  
**Study Session Meeting Minutes**

August 24, 2009 ~ 7:00 p.m.

A Study Session of the Waverly City Council was held on August 24, 2009 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present were: Gary Grace, Fred Ribich, Cyndi Ecker, Gary Boorum, Jim Vowels, Gene Lieb, and Duane Liddle. Absent: None

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

**Moved By: Grace**

That the agenda for this Council Meeting is hereby amended by removing Item No. 11 under Regular Business.

**Yes: 7**

**No: 0**

**Absent: 0**

**B. VISITORS/PUBLIC COMMENTS.**

Richard Lindell questioned the amount of WLP's and the City's contribution to "The W" per year. Wartburg pays no property tax. Non-members pay \$5 more for programs than members of "The W." Wartburg has a lifetime membership at Centennial Oaks Golf Club. There have been 58 comps at the Golf Club at a cost of \$870 not charged to Wartburg. Wartburg charges Waverly Shell Rock Schools for lighting when the boys play baseball at Hertel Field. Wartburg used the school facilities when they were building "The W." The City Council recently approved the payment of \$4,200 to Wartburg for the City's use of the tennis courts. The City needs to look at a reciprocating agreement into the future. Mayor Ackerman did correct Mr. Lindell that Wartburg and the Hospital do pay taxes.

**C. TABLED ITEMS.**

1. **Resolution 09-65, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with the Iowa Northland Regional Council of Governments (INRCOG) for the Administration of the Community Development Contract with the Iowa Department of Economic Development.**

**Moved By: Ribich**

To remove from the table.

**Yes: 7**

**No: 0**

**Absent: 0**

Administrator Crayne stated that INRCOG agreement with the City is a maximum of \$25,000 as specified in the agreement. In the agreement it also mentions \$8,000 but has been corrected to \$25,000. The Council shouldn't vote on this agreement if it does not intend to approve Resolution 09-102 below. The CDBG agreement should be approved before the INRCOG. This motion will be brought back after approval of the CDBG agreement.

2. **Waive Building, Electrical, and Plumbing Permit Fees for those Affected by the 2008 Flood Event.**

**Moved By: Ecker**

Motion to waive building, electrical, and plumbing permit fees on new

dwellings and accessory buildings for applications filed by property owners impacted by the 2008 Flood Event. The waiver of said fees shall be retroactive to March 16, 2009 and any fees paid shall be reimbursed. This waiver of fees shall remain in force until September 1, 2011 at which time said waiver shall end. Said motion is hereby approved.

**Moved By: Ribich**

To table the above motion is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**Moved By: Liddle**

To remove from the table is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

The City received a letter from the County objecting to waiving building, electrical and plumbing permit fees. The City does have the ability to decide how building permits are administered. Administrator Crayne stated that the County retains 90% of fees collected from permits and 10% of fees are reimbursed to the City. It was agreed jointly that the County would take over building inspection for the City. The County would have a healthy financial stake into each permit issued financially to maintain operations. Administrator Crayne spoke with the County Board of Supervisors in a conference call and the Board did understand the proposed motion. The motion does not include existing buildings that need repair. It addresses only new construction. The County did a waiver until the end of March to get people up and running. After the flood property owners also received permits for remodeling rooms in a home that were not damaged in the flood. The Board felt it was not fair to waive permit fees for that type of work and also had houses being purchased by new owners and they would take out permits to fix them up. The County did not want to consider giving a case by case basis.

**Moved By: Ecker**

Motion to waive building, electrical, and plumbing permit fees on new dwellings and accessory buildings for applications filed by property owners impacted by the 2008 Flood Event. The waiver of said fees shall be retroactive to March 16, 2009 and any fees paid shall be reimbursed.

This waiver of fees shall remain in force until September 1, 2011 at which time said waiver shall end. Said motion is hereby approved.

**Moved By: Liddle**

To amend previous motion to include repairs of all existing buildings affected by floods and to waive fees for building, plumbing and electrical permits is hereby approved.

If the Board of Supervisors will not consider covering those fees maybe the City could reimburse the County for the permit fees for those impacted by flood. Maybe the fees should be directed to the permit applicant. The September 1, 2011 date came from the buyout program timeframe to be completed and create a specific end date. Council discussed reimbursement rather than a waiver policy. This policy would avoid intergovernmental conflict. There were approximately 700 homes affected by the flood. There may also be more permits included besides the 74 buyout homes and the 23 additional. The motion is to repair the homes to the condition that they were in before the

flood. The Council then voted on amendment moved by Councilmember Liddle.

**Yes: 7    No: 0    Absent:0**

Council discussed changing the word “waive” in the motion to reimburse.

**Moved By: Ribich**

To amend the motion to strike the word waive and replace it with reimburse is hereby approved.

**Yes: 7    No: 0    Absent: 0**

The original motion as amended was then voted upon.

**Yes: 7    No: 0    Absent: 0**

**D.      CONSENT AGENDA.**

1. Pay Request from RDG for the Bremer County Fairgrounds & Baseball/Softball Complex in the amount of \$925.30.
2. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$2,848.60.
4. Pay Request from Tallgrass Historians, L. C. for the Waverly Hydro Plan & Dam Architectural/Historical Evaluation in the amount of \$7,987.78.

**Moved By: Ecker**

Items 1, 2, and 4 on the Consent Agenda are hereby approved.

**Yes: 7    No: 0    Absent: 0**

3. Pay Request from Valuation Services for Appraisal Services for the 4<sup>th</sup> St. SW Corridor Improvement Project in the amount of \$7,800.

There was discussion of whether the work was completed regarding meeting with each property owner. Everyone was invited to meet Mr. Jones and why didn’t the property owners take advantage of the invitation. Mr. Jones sent a registered letter and property owners do not know how far they are moving property lines for the project. City Attorney Carney stated that property owners still have opportunities for negotiation. This is the appraiser’s assessment of the property. This is not the end of the process. The law requires that the City start out with an appraisal before the City makes offers to the property owners. The system requires that you start with an appraisal and present that to the property owner. This structure is mandated by Iowa Code.

**Yes: 6    No: 1(Liddle)    Absent: 0**

**E.      REGULAR BUSINESS.**

1. **Resolution 09-102, A Resolution of the City Council fo the City of Waverly, Iowa, Authorizing the Mayor to Sign a contract with the Iowa Department of Economic Development for Financial Assistance through the Community Development Block Grant Program Contract 08-OT-007.**

**Moved By: Ribich**

Resolution 09-102, A Resolution of the City Council fo the City of Waverly, Iowa, Authorizing the Mayor to Sign a contract with the Iowa Department of Economic Development for Financial Assistance through the Community Development Block Grant Program Contract 08-OT-007 is hereby approved.

**Yes: 7    No: 0    Absent: 0**

**The Council then took up Tabled Item No. 1, Resolution 09-65.**

**Moved By: Ribich**

Resolution 09-65, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with the Iowa Northland Regional Council of Governments (INRCOG) for the Administration of the Community Development Contract with the Iowa Department of Economic Development is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Resolution 09-97, A Resolution Approving a City/Company Agreement Between the City of Waverly and Carmi Flavor & Fragrance Co., Inc.**

Economic Development Director Passmore introduced Erica Flack from Carmi Flavors. The State did give an award of grant money to Carmi Flavors for the construction of a new 24,750 square foot facility in northwest Waverly.

**Moved By: Boorum**

Resolution 09-97, A Resolution Approving a City/Company Agreement Between the City of Waverly and Carmi Flavor & Fragrance Co., Inc. is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Resolution 09-98, A Resolution Approving the Economic Development Strategic Business Plan.**

**Moved By: Ecker**

Resolution 09-98, A Resolution Approving the Economic Development Strategic Business Plan is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

4. **Resolution 09-99, A Resolution Establishing Fair Market Value and Authorizing Acquisition of Property for the Waverly, Iowa, 4<sup>th</sup> Street SW Corridor Improvements Project.**

City Engineer Cherry informed Council that total costs will be known when the project is finalized. Mr. Cherry also informed Council that all settlements with property owners will be brought back for Council approval. The City will let the project after property is acquired and then the Council will know from the project bids. The City will enter into purchase agreements before the City enters into a construction project. City Attorney Carney stated that the Council could decide that the costs are higher than the City wants to pay and drop the project.

September, October and November are for property owner negotiations.

December is for condemnation proceedings if the City and property owners cannot come to agreement with an acceptable amount then the Condemnation Board will decide. The City will hold a public hearing on the project in December with a bid letting set for January. Mr. Carney stated that the City should know some parameters if the condemnation appeal goes to District Court. The flexibility is when the Council decides to go out for bids. The Condemnation Board is made up of 2 City property owners, 2 real estate professionals, and the other are split. City Engineer Cherry informed

Monty Gritzner that the next step is to send a certified letter to property owners and the letter states the property owner's legal rights and the City's obligations. Also included is Valuation Services' appraisal and the IDOT review appraisal.

The City has to be hands off for 10 days and cannot contact property owners however the property owner can sign a waiver and the City then can begin

negotiations. If the City has not heard after 10 days, staff will contact property owners.

**Moved By: Ribich**

Resolution 09-99, A Resolution Establishing Fair Market Value and Authorizing Acquisition of Property for the Waverly, Iowa, 4<sup>th</sup> Street SW Corridor Improvements Project is hereby approved.

**Yes: 6**

**No: 1(Liddle)**

**Absent: 0**

5. **Resolution 09-100, A Resolution Awarding Bid for Stationary Compactors.**

Discussion followed on equipment costs should be known when the building was started. City Engineer Cherry stated that the packers are like the dumpsters. The opportunity came up to submit an application for DNR funding that would have a \$20,000 forgivable loan that is paying for 40% of the project costs. The local match is anticipated to be paid back in 5 years. The specific equipment was not budgeted because it came about after the budget process. The opportunity to submit an application wasn't until March. The City had budgeted some funds to get more dumpsters and it was decided to switch some of the budgeted funds over to the compactors. The compactors will allow staff to compress all the plastics and make one trip down to Cedar Falls instead of 5 or 6 trips. It is a savings of fuel and man hours.

**Moved By: Ecker**

Resolution 09-100, A Resolution Awarding Bid from Elliott Equipment of Davenport for the purchase and installation of two stationary compactors and three containers for \$52,674.00 is hereby approved.

**Yes: 5**

**No: 2(Lieb, Liddle)**

**Absent: 0**

6. **Approve Pay Request No. 3 for the 2009 Bituminous Seal Coat Program.**

**Moved By: Boorum**

Pay Request No. 3 for the 2009 Bituminous Seal Coat Program in the amount of \$23,618.74 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

7. **Approve Change Order No. 2 for the 2009 Bituminous Seal Coat Program.**

**Moved By: Grace**

Change Order No. 2 for the 2009 Bituminous Seal Coat Program for the decreased amount of \$7,867.39 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

8. **Resolution 09-101, A Resolution Finalizing the 2009 Bituminous Seal Coat Program and Approving the Final Pay Request.**

**Moved By: Ribich**

Resolution 09-101, A Resolution Finalizing the 2009 Bituminous Seal Coat Program and Approving the Final Pay Request for the amount of \$8,235.43 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

9. **Review of City Parking Lot on 1<sup>st</sup> Street NE and 1<sup>st</sup> Avenue NE.**

Police Chief Pursell and Public Services Superintendent Sullivan requested that the time be changed from 2:00 a. m. to 6:00 a. m. Chief Pursell will propose an ordinance change for said parking restrictions.

10. **Approve Amendment #1 to the Agreement for On-Call Engineering**

**Services for a 5,000-Gallon Jet A Fuel Tank at the Waverly Municipal Airport.**

When the City approved the on-call engineering services it was understood every work order has to be approved by the Council. Engineering fees are included in the \$55,000 and are eligible for 85% state reimbursement. State code requires an engineer for this project and that's why the City entered into an agreement with McClure Engineering for on-call services for the airport. It is a double wall tank and all fittings and fixtures that go on it have to be specified and all shop drawings have to be reviewed with specifications. Specifications have to be assembled for a competitive bid.

**Moved By: Ribich**

Amendment #1 to the Agreement for on-call engineering services with Mc Clure Engineering for a 5,000-gallon Jet A Fuel Tank for the Waverly Municipal Airport for \$3,900.00 with 85% state reimbursement and 15% Cedar Valley Aviation reimbursement is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

11. **Resolution 09-103, A Resolution Accepting Public Improvements for the 10<sup>th</sup> Avenue SW Left-Turn Lane.**

Item was taken off the agenda.

**F. STUDY SESSION.**

1. **Review of Affordable Housing.**

Waverly is in need of affordable transitional housing. There is a need for affordable housing under \$125,000. There was a significant amount of housing under \$90,000 damaged by the flood. State programs require specific development sites outside of the floodplain. There is a lot of upfront risks for a developer and it is less profitable. The Ledges are affordable but some would prefer to live separate from a complex. With the reduction of affordable housing in the southern part of our City what can the City do to encourage development. \$70,000, 80,000 or 90,000 shouldn't be put next to a \$300,000 home. There should be a complex for said properties where it fits the environment. Economic Development Director stated that the new single-family home construction and the new multiple-family construction programs benefit the homeowner and the developer. Mr. Passmore believes that Stonehaven Green will probably never happen. Stonehaven targets 55 and older citizens but it does not target first time buyers. Council questioned why the affordable lots in Rolling Hills and Rolling Meadows are not all sold. Mortgage rates are attractive. Developers make more money building \$300,000 homes than \$100,000. The lots are affordable. Affordability is based on opinion and income levels. The City did look into a manufactured home development where the Rolling Hills Subdivision is. That project did not develop because of street and other infrastructure requirements. An example is behind Olive Garden in Waterloo a developer has condos and homes for \$120,000 and less. There are examples in other cities where the City installs public infrastructure and allows the developer to pay back costs over a 10 year period as a way of driving down home costs. There is TIF for residential subdivisions. The City of Waverly has not wanted to get into TIF for residential development and as a requirement part of the development has to accommodate lower to moderate income properties. Waverly developers have not requested assistance from the City and the

growth is strong. There was concern whether people of low to moderate income might not be able to live in Waverly. Discussion followed on whether there should be expansion of the Mobile Home Park. Economic Development Director Passmore also stated that if the City were to expand the Mobile Home Park to provide affordable housing for flood victims, he feels that other developers would not be displeased. City Council in the 1950's allowed a developer to build cheaper homes, with no sidewalks and ran the sewer and water in a setback in the back yard and now the City is paying the price. Council discussed whether the City should conduct a session with Realtors on availability of housing. Economic Director Passmore informed Guest Councilperson Jason Grant that there are some lots in Rolling Hills and Rolling Meadows that are under \$30,000. The New Home Construction Program will be utilized for two lots out in Rolling Meadows Subdivision. The City is still taking applications for the New Home Construction Program and the City hopes that it will go into a second phase. It will come back to Council.

**G. BOARDS AND COMMISSIONS.**

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

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

Leisure Services Director Ray informed Council that the pool is ending the season but will be open over the weekend. The Dog swim is next Monday night 5:30 – 7:30 P. M.

Mr. Ray also informed Council that the Government Building's truck that was approved at the last meeting will be rebid.

This Saturday will be the last day of Recycling at the Public Services site and will begin at the new Recycling site on Monday, August 31<sup>st</sup> at 2800 5<sup>th</sup> Ave NW.

This Thursday is the Bike auction at 5:00 P. M.

The new Yardwaste site will not be opening until next spring. Don't forget to tarp or tie down yardwaste.

Eleven candidates will be in the Citizen's academy.

Council thanked Jason Grant for his participation as Guest Councilperson.

**I. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent: 0**

**Council adjourned at 8:24 P. M.**

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Ivan J. Ackerman, Mayor

Attest:

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JoEllen Raap, City Clerk