

Regular Meeting Minutes
October 5, 2009 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on October 5, 2009, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Gary Grace, Cyndi Ecker, Gary Boorum, Jim Vowels and Fred Ribich. Absent: None

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: 7

No: 0

Absent: 0

2. **Minutes.**

Moved By: Boorum

The September 21, 2009 and September 28, 2009 Council Meeting Minutes are hereby approved as amended on September 28, 2009 minutes Ecker was absent and September 21, 2009 minutes were corrected in the 4th paragraph under Visitors and Public Comments to read \$159,000 for engineering costs and No. 4 under Regular Business the sentence to read: the engineer that provided a estimate for the new bridge is from Minnesota and does not know the site conditions of the Cedar River.

Moved By: Liddle

To change the sentence in No. 4 under Regular Business in the September 21, 2009 Minutes: "It was stated that the City would spend \$2Million for a new bridge versus repairing the bridge for zero dollars and include the cost of replacing the second pier at some time in the future is hereby approved.

Yes: 1 (Liddle)

No: 6

Absent: 0

No. 6 under Regular Business in the September 21, 2009 minutes the sentence "There has been very little administrative costs caused by this delay." Administrator Crayne informed Council that \$9,832.20 was for the administration since the administrator was hired and wasn't based on the delay. Mayor Ackerman stated to Council "that as long as it accurately reflects what was said we don't need to do anything to that."

All those in favor of approving both sets of minutes say aye.

Yes: 7

No: 0

Absent: 0

3. **Guest Councilperson.**

Council welcomed Jacqui Hansen as the Guest Councilperson for October.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on a proposal to Rezone a Certain Area from C-2A (Commercial District) to R-3 (Multiple Family Residential District) of Said City for the Larrabee Center New Training and Educational Facility at 123 11th Street NW. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Grace

Second Reading of Ordinance 923, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area from C-2A (Commercial District) to R-3 (Multiple Family Residential District) of Said City for the Larrabee Center New Training and Educational Facility at 123 11th Street NW is hereby approved.

Yes: 7

No: 0

Absent: 0

2. The Public Hearing on the plans, specifications, form of contract and the estimated cost for on the Bremer Avenue Traffic Signal Modifications 2008 was not ready for action because the public notice had not been published and will come for approval on October 19th.

C. VISITORS/PUBLIC COMMENTS.

Sophie Vowels informed Council that bottle caps can be recycled and could save 600 Million bottle caps from going into the landfills. She requested that bottle caps be collected at the Recycling Center and will take them weekly to the Wash House to be recycled. This includes soda caps, milk jugs tops, water bottle caps and tops with the No. 5 on it. The City has ordered hand sanitizer for the Recycling Center. Public Services Superintendent Sullivan stated that some bottle caps don't have numbers but will keep them for Ms. Vowels.

D. CONSENT AGENDA.

1. **Outdoor Service Permit for the Fainting Goat.**

Moved By: Ecker

Item 1 on the Consent Agenda is hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Discussion of Removal of Historic Homes from the Flood Plain.**

Rod Scott of the Statewide Historic Preservation Organization has requested that FEMA and IDED initiate financial incentives for historic structures that will undergo rehabilitation. The buyout homes in the historic areas of Waverly that have undergone rehabilitation will be eligible for financial incentives. There is a state income tax credit for 25% of rehabs. Mr. Scott has been talking to staff about assisting the community in finding those funding resources and getting them to the homeowners through an application process. Mr. Scott is meeting with Iowa Department of Economic Development officials to provide CDBG flood funding to help with rehabilitation of historic flood damaged structures that would be involved with buyout. The Statewide Historic Preservation Organization

did not want to interfere with the buyout process because families who are involved in the buyouts want to get bought out and move on. Historic structures can be specified in communities for the RFP for removal from the property. The houses can be salvaged as long as all mold, asbestos and lead based coatings are removed. It then becomes property of the demolition contractor. The demolition contractor can work with developers to acquire properties and relocate them to safer flood resistant areas. The Iowa Finance Authority will come in after the rehabilitation and buy down the difference from the rehabilitated costs to market value for affordable housing. What would cost \$120,000 the Iowa Finance Authority will buy down to about \$80,000 to \$90,000 for affordable workforce housing. Mr. Scott encourages the City to allow his group to work with staff to access connection between the State agencies and Waverly. Mr. Scott also hopes that Waverly Light and Power would work with the City on power line issues to keep these structures out of the landfill. These houses need to be cleaned up, sanitized and put back on the tax base out of the flood plain. Mr. Scott also stated that FEMA requires a 90 day completion of the buyout contracts but historic homes would be allowed double the length of time. It will give the City the time to find these lots and get houses relocated. Developers can collect federal and state funds if the property is used as rental housing, up to 51% of the rehab cost. You can move these houses into a 100 year flood plain but they have to be a foot above the base flood elevation as long as they are not on a permanent easement from a 404 Program. Mason City is getting assistance to start a new subdivision and moved their historic district. Utilities get pricier if you move said housing farther. The organization would see the City as the conduit through the Council of Governments for the HUD funding or CDBG funding. The funding has to be provided to the municipality and the developers apply. It would be 100% funding and administrative costs might be attached. More information will be coming. The City has to request in the RFP that said housing is a whole house salvage demolition. There is 2 or 3 moving contractors that would be interested and several developers have contacted the organization that are experienced in income adjusted historic redevelopment. The Statewide Historic Preservation Organization would like to work with the City and local Real Estate people to get a project moving. City Administrator Crayne informed Mr. Scott that most of the empty lots in town are in subdivisions with restrictive covenants. Council identified that this program may be a benefit to the community by retaining the historic homes but also may address affordable housing needs. Mason City has a proposed development of historic homes and the Iowa Department of Economic Development is providing a low interest loan for water and sewer infrastructure. Staff will work with Rod Scott and State and Federal officials to see if the City can start a program.

2. **Resolution 09-123, A Resolution Approving a Department of Commerce, Economic Development Administration, Grant Application; Authorizing the Mayor to Execute a Memorandum of Understanding; Designating the Mayor as the Official Representative of the City; and Authorizing the Mayor to Affix His Signature to Said Application and Certain Assurances in Conjunction with Same.**

Administrator Crayne stated that if the City does not receive the grant it would have to be funded by essential corporate purpose bonds. EDA funding will be very competitive and they will be looking at the benefits to commercial enterprise. City Engineer Cherry informed Council that box culverts in the dry run are undersized. Even though the City may not receive funding, the value of the application is to show EDA there is still a need and maybe funding will be available in the future for their consideration. The application also shows the path the City should follow to mitigate dry run flooding. The City may look at removing some box culverts in the dry run. Gary Iversen stated that the application is a broad concept to EDA and they would expect the City to hire an engineer to determine what works best. City Engineer Cherry doesn't know if utilities are currently running through the box culverts but newly reconstructed culverts provide utility accommodations. Precast box culverts can be more economical and may reduce the amount of time a roadway may be closed to the public. The project may be phased with appropriate financing. City Engineer Cherry also informed Guest Councilperson Jacqui Hansen that the preferred dry run area would be an earthen channel with sloped sides and a 6 foot wide concrete basin. The City may look at a concrete box section that has no top on it in tight areas. The application includes different design sections through the dry run corridor.

Moved By: Ecker

Resolution 09-123, A Resolution Approving a Department of Commerce, Economic Development Administration, Grant Application; Authorizing the Mayor to Execute a Memorandum of Understanding; Designating the Mayor as the Official Representative of the City; and Authorizing the Mayor to Affix His Signature to Said Application and Certain Assurances in Conjunction with Same with costs based on actual costs incurred not-to-exceed \$15,000 over a three-year contract with INRCOG is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 09-116, A Resolution of the City Council of Waverly, Iowa, Adopting a Code of Conduct for the Officers and Employees of the City of Waverly, Iowa.**

Resolutions 09-116 through Resolution 09-122 are the Federal requirements for the CDBG funding of the Waverly Dam Project.

Moved By: Boorum

Resolution 09-116, A Resolution of the City Council of Waverly, Iowa adopting a Code of Conduct is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Resolution 09-117, A Resolution of the City Council of Waverly, Iowa, Adopting an Equal Opportunity Policy for Waverly, Iowa.**

Moved By: Vowels

Resolution 09-117, A Resolution of the City Council of Waverly, Iowa, adopting an Equal Opportunity Policy for Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Resolution 09-118, A Resolution of the City Council of Waverly, Iowa, Adopting an Excessive Force Policy for Waverly, Iowa.**

Moved By: Ribich

Resolution 09-118, A Resolution of the City Council of Waverly, Iowa, adopting an Excessive Force Policy for Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Resolution 09-119, A Resolution of the City Council of Waverly, Iowa, Actively Promoting Fair Housing for the City of Waverly, Iowa.**

Moved By: Ecker

Resolution 09-119, A Resolution of the City Council of Waverly, Iowa, Actively Promoting Fair Housing for the City of Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 09-120, A Resolution of the City of Waverly, Iowa City Council Adopting a Lobby Policy Governing the Lobbying of Housing and Urban Development Personnel and/or Department of Commerce Personnel.**

Moved By: Boorum

Resolution 09-120, A Resolution of the City of Waverly, Iowa City Council Adopting a Lobby Policy Governing the Lobbying of Housing and Urban Development Personnel and/or Department of Commerce Personnel is hereby approved.

Yes: 7 No: 0 Absent: 0

8. **Resolution 09-121, A Resolution of the City Council of the City of Waverly, Iowa, Adopting a Procurement Policy for the City of Waverly, Iowa.**

Administrator Crayne stated that the resolutions have to be approved before the City can receive funding.

Moved By: Ribich

Resolution 09-121, A Resolution of the City Council of the City of Waverly, Iowa, Adopting a Procurement Policy for the City of Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

9. **Resolution 09-122, of the City Council of Waverly, Iowa Adopting an Anti-Residential Displacement and Relocation Assistance Plan for the City of Waverly, Iowa.**

Administrator Crayne informed Council that at the bottom of the resolution it states that there are no homes displaced due to this project.

Moved By: Vowels

Resolution 09-122, of the City Council of Waverly, Iowa Adopting an Anti-Residential Displacement and Relocation Assistance Plan for the City of Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

10. **Resolution 09-124, A Resolution Approving Contract, Bonds and Insurance for the Permanent Scour Countermeasures on the Cedar River Rail Trail Bridge.**

Moved By: Grace

Resolution 09-124, A Resolution Approving Contract, Bonds and Insurance from Cramer & Associates in the amount of \$164,760.00 for the Permanent Scour Countermeasures on the Cedar River Rail Trail Bridge is hereby approved.

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

11. **Resolution 09-125, A Resolution Approving Extension of the Sidewalk Performance Guarantee for Rolling Meadows Phase 2A and 2B.**

Moved By: Ribich

Resolution 09-125, A Resolution Approving Extension of the Sidewalk Performance Guarantee for Rolling Meadows Phase 2A and 2B is hereby approved.

Yes: 7 No: 0 Absent: 0

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Airport Commission Minutes-change in the lighting at the airport because the City would receive a 20% return on their investment. Some of the concrete joints at the airport break out and said concrete damaged a propeller.

2. **Reports**

3. **Communications.**

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Public Services Superintendent Sullivan informed Council that a City vehicle was not down in Cedar Falls carrying concrete. The Waverly Light and Power vehicle has insurance coverage on the vehicle with employees in it during non-work hours.

Council informed the public that there will be two polling places for the November election, one at the Civic Center and one at Redeemer Church and there might be satellite absentee voting locations possibly at Bartels and Wartburg College pending approval of petition submitted to the County Auditor. There have been discussions of Ward 1 and 2 voting at City Hall and Wards 3, 4, and 5 voting at Redeemer Church. The County

Commissioner of Elections controls the administration of elections and is in charge of getting the word out on polling places.

Leisure Services Director Ray informed Council that the Cemetery Storage Building was budgeted for this year and the inside work will be budgeted next year. Some of the funding for the Cemetery Storage Building is coming from the Cemetery Reserve Fund. In order to replace the Cemetery Reserve fund a certain percentage of the grave opening charge could go to the cemetery reserve fund. The Reserve Fund was established so that a certain amount of lot sales could go to said fund for capital improvements at the cemetery. City Administrator Crayne recommended that the proposed Cemetery Storage Building be completed all at once using Cemetery Reserve funding or start the building late in the fiscal year and complete the inside in the next fiscal year with budgeted funds. The budget would have to be amended if the contractor completes the building this year. The proposed Cemetery Storage Building will be brought to Council on October 19th.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:02 P. M.

Ivan J. Ackerman, Mayor

Attest:

JoEllen Raap, City Clerk