

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 1, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gene Lieb, Jim Vowels, Gary Grace, Richard Lindell, Gary Boorum, and Tim Kangas. Absent: None.

1. **Pledge of Allegiance.**

Pack 69 Webelos Thor Crandall and Jared McLey led the Pledge of Allegiance.

2. **Prayer.**

Pastor Marvin Talamantez introduced a prayer for the 2010 Council.

3. **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

4. **Minutes.**

Moved By: Olson

The January 18, 2010 and January 25, 2010 Council Meeting Minutes are hereby approved as amended by correcting 501 C3 under Regular Business No. 4 in the January 18th Minutes and in the January 25, 2010 minutes add wording under Regular Business No. 3 "69 first round buyouts" and add wording to Study Session No. 4 "with progress review in April, 2010.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Bill Ellinger as the Guest Councilperson for February.

B. VISITORS/PUBLIC COMMENTS.

City Engineer Cherry informed Duane Liddle that the new traffic signals will have pedestrian crossing countdown at intersections.

C. CONSENT AGENDA.

1. Class B Beer Permit for Bremer County Fair Association.

2. Class B Liquor License for Happy Hour Bar.

3. Class B Beer Permit for Kwik Star East.

4. Pay Request from Stanley Consultants for the Waverly Dam Reconstruction Project – Phase 1 in the amount of \$6,063.65.

5. Pay Request from Stanley Consultants for the Waverly Dam Reconstruction Project – Phase 2 in the amount of \$10,085.73.

6. Pay Request from Iowa Northland Regional Council of Governments in the amount of \$3,466.22 for the HMGP Flood Buyout.

Moved By: Vowels

Items 1-6 on the Consent Agenda is hereby approved.

Yes: 7

No: 0

Absent: 0

D. REGULAR BUSINESS.

1. **Resolution 10-15, A Resolution Approving a Special Provisional Use Request by Bremer County for Non-Profit Office Use Out of the Existing Drexler Building in Southeast Waverly.**

Ken Kammeyer informed Council that the building will be office space for seven to nine Bremer County employees. There are parking spaces for employees to the east of the building. If Bremer County sells the building to commercial enterprise and if there are more additions to the building or parking it would have to be brought back to Planning and Zoning Commission.

Moved By: Grace

Resolution 10-15, A Resolution Approving a Special Provisional Use Request by Bremer County for Non-Profit Office Use Out of the Existing Drexler Building in Southeast Waverly is hereby approved.

Yes: 7 No: 0 Absent:0

2. **Third Reading of Ordinance 933, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-1 (Single Family Residential District) of Said City for the Kurtz Property Located in Northeast Waverly.**

Moved By: Boorum

Third Reading of Ordinance 933, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-1 (Single Family Residential District) of Said City for the Kurtz Property Located in Northeast Waverly is hereby approved.

Yes: 7 No: 0 Absent: 0

3. **Resolution 10-18, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of Four Flood Damaged Properties Acquired by the City Through the 2008 HMGP Acquisition and Demolition Project to determine if the Properties have Materials Containing Asbestos.**

Kyle Durant of INRCOG informed Council that at the time of closing there were 2 historic properties and one was an emergency demolition home and so the four properties were submitted right away for an asbestos survey, inspection and testing for asbestos. INRCOG will bunch future properties to be submitted for an asbestos survey together. Historic properties will be submitted at a later time.

Moved By: Lindell

Resolution 10-18, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of Four Flood Damaged Properties Acquired by the City Through the 2008 HMGP Acquisition and Demolition Project to determine if the Properties have Materials Containing Asbestos is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Resolution 10-19, A Resolution for the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Revised Contract with Carney Law Office to Act as the Closing Agent for the City for Flood Buyouts funded under Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGP-DR-1763-0042 01/ Project Number DR-1763-09-01.**

City Attorney Carney stated that title insurance was required for buyout properties and the closing search by the abstract company charge would be \$30 and would be ran through on closing statements.

Moved By: Vowels

Resolution 10-19, A Resolution for the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Revised Contract with Carney Law Office to Act as the Closing Agent for the City for Flood Buyouts funded under Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGP-DR-1763-0042 01/ Project Number DR-1763-09-01 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Review the Pre-Final Report Presentation for the Water Distribution System Study Modeling.**

Peter Engstrom of WHKS & Co. stated that the purpose of the two projects is to look at City infrastructure and to use reports as a planning design tool. Nathan Anderson informed Council that WHKS & Co. reviewed the City's the water distribution, piping, valves and at the source of water and how it is stored. A fire flow analysis was conducted and the modeling showed where the recommended flow is low. Pressure reducing valve would join the two systems and allow water to flow from west to east Waverly.

WHKS & Co. recommended:

- Continuing water tower maintenance and repair,
- replace old smaller diameter lines as priorities permit,
- install two pressure reducing valves, one on each side of the river,
- construct a water loop through the First Home Addition during future street reconstruction.

Phase one would be to construct a water loop during First Home Addition street reconstruction. Phase two would to replace four inch lines.

Mr. Engstrom stated that there are no areas in town that that the fire flows are so low that are deemed a risk to public safety. City Engineer Cherry informed Council that fire hydrants are color coded to show where the highest flow hydrants are. The staff's focus is on the east tower in 2012.

6. **Review the Pre-Final Report Presentation for the Water Pollution Control Facility and Sanitary Sewer Collection System Facilities Plan.**

Mr. Anderson of WHKS & Co. informed Council that the same procedure was followed as what was done with the water distribution modeling. A model was created to run scenarios on the collection system. The new location of Irving School and possible expansion of the hospital will not create a load on the sanitary system. WHKS recommended that if the City disconnect the 6th Avenue Lift Station, that there should be a new sewer line all the way down the dry run creek and connect on at a different point. Ridgewood Lift Station is under capacity and the City could increase the capacity at the lift station without downstream problems. Staff will be concentrating on manholes and ways to help eliminate water infiltration.

Kevin Graves of WHKS & Co. stated that the plant is in good condition and working well. There is algae growth on the clarifier, leakage and structure degradation of the concrete at the base of the trickling filters, and some replacement of clarifier equipment is needed. Recommended improvements include replacement of clarifier drives, install aluminum covers on all three of the clarifiers, and construct solid grading over splitter and affluent boxes. Probable cost for installation of aluminum covers, and grating on splitter and affluent boxes is \$780,000. Trickling filter tower replacement, trickling filter cover removal and reinstallation, rotary distributor and media replacement and air ventilation modifications and

sitework is \$1,700,000. Primary and Intermediate clarifier equipment replacement, increase the sidewall depth of the primary clarifier and primary clarifier splitter box modifications would cost the City \$1,040,000. Control system consolidation and upgrades, add variable frequency drives to the trickling filter pumps and UV disinfection flow pacing system, and install effluent flow measurement system at a cost of \$445,000. The last recommendation is to install standby generators at the Main Lift Station and WPCF and miscellaneous electrical and controls totaling \$680,000. The improvements can take place over the next 5-10 years. The seal between the liner and the concrete on trickling filter is deteriorating and the chemicals in wastewater are hard on concrete. City Engineer Cherry stated that a substantial amount of debt is coming off in 2012 and staff and the consultant are working together to look at packaging and scheduling of projects to go along with debt retirement. There is potential to have modest rate increases every other year. Mr. Cherry informed Council that there is no slow progression of failure and the equipment is older and will need to be replaced. Staff is looking at a 5% rate increase in July, 2011.

7. **Resolution 10-14, A Resolution Authorizing New Oak Ridge Circle/Technology Place Intersection Alignment and Associated Construction Documents for the 4th Street SW Corridor Improvements.**

Eric Johnson, Legal Counsel, expressed concern with the north alignment because First National Bank loses more frontage with the new design. First National Bank representatives feel the straight street alignment of Oak Ridge Circle would be a better design and asked for the action to be tabled. If Technology Place was straight Oak Ridge Circle would have to bend to the south which would take out Ken Mark's property. The goal is to have Oak Ridge Circle and Technology Place come to a signalized intersection. Riggs Plaza, Roling Motors and Ken Marks are in favor of the north alignment. Technology Place and Oak Ridge Circle are designed to align because the DOT is concerned with having two traffic lights 300 feet apart. Businesses would have better access for left turns on the said corridor if a traffic signal was installed. Goodwill Industries will be opening their retail outlet in the spring, 2010 in the Waverly Business Park. City Engineer Cherry stated that due to close proximity of businesses to the 4th Street Corridor there is no room for a frontage road in front of the businesses and it is not a good idea to route public or industrial traffic through business parking lots. It would be a great opportunity for businesses adjacent to 3rd Street SW to develop an access to connect to said corridor. Mr. Cherry informed Mr. Johnson that if the south entrance of Jerry Roling Motors was moved north but restricted to right turn in and out only. If the alignment was moved south it would require a total taking of the Ken Marks property. There is no building on the First National property but there is on the Ken Marks property. Tammy Marks stated that the Marks' were in the process of getting an appraisal when the City presented the north alignment design. The Marks' chose that location because there was a need and are in favor of the north alignment. If there is property resolution by late April the City could proceed with the bid letting and be amending the construction documents with the new alignment and the construction could start in the fall. City Attorney Carney stated that the City could be interested in purchasing the whole piece of First National Property. Don Kohagen of Little Learners Child Care was in

favor of a controlled signal intersection because families leaving his facility have a hard time turning left onto the corridor. Sidewalk would extend from Waverly Implement to Wal-Mart. The north alignment would impact one business dramatically but it is leaving the rest of the businesses as they are now. City Attorney Carney stated that there is no legal conflict of interest regarding Councilmember Grace voting on the measure even though Mr. Grace's wife works for First National Bank.

Moved By: Olson

Resolution 10-14, A Resolution Authorizing New Oak Ridge Circle/Technology Place Intersection Alignment and Associated Construction Documents for the north alignment for the 4th Street SW Corridor Improvements is hereby approved.

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

8. **Resolution 10-09, A Resolution Setting User Fees and Charges for the Golf Course for 2010 Recommended by the Golf Commission.**

Larry Van Daalen, Chair of the Golf Commission, congratulated Golf Commissioner Steve Tyler on his induction into the Iowa Golf Association Hall of Fame. Leisure Services Director recommended his fee structure that was different from the Golf Commission recommendation after conducting golf course fee survey. Mr. Van Daalen stated that the Commission's concern that lower fees would bring in less revenue and having less money for golf course maintenance. Mr. Van Daalen stated that for every dollar you lower fees the subsidy goes up. The subsidy for the next fiscal year is \$69,000.00. Council discussed that the two new holes will cost more to maintain. Many of municipal golf courses do not allow private carts on the course. Council discussed whether the golfers should be paying more for fees and whether the food and liquor could offset some of the golf maintenance costs. Mr. Van Daalen informed Deb Turnbull that season passes have been declining because of health issues. Ms. Turnbull again stressed that the golf course fees have to be affordable to the public. Council discussed the Golf Course marketing strategy. The Commission is concerned with maintaining the golf course quality and keeping its reputation. Mr. Crayne informed Council that cart rental and raising trail fees could generate revenue along with changes to management structure. Dick Groth voiced concern with increased golf course fees for the senior citizens and those on a fixed income.

Moved By: Vowels

Resolution 10-09, A Resolution Setting User Fees and Charges for the Golf Course for 2010 recommended by the Golf Commission is hereby approved.

Moved By: Lindell

To set fees according to the staff recommendation is hereby approved.

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

The original motion was then voted upon.

Yes: 3 No: 4(Lieb, Boorum, Lindell, Kangas) Absent: 0

9. **Resolution 10-16, A Resolution Approving Contract Documents for the Riverbank Stabilization 2010 (Cedar Lane).**

City Engineer Cherry stated that there has been river bank erosion along Cedar Lane south of Brown Lane.

Moved By: Boorum

Resolution 10-16, A Resolution Approving Contract Documents for Skyline Construction of Decorah, Iowa for the amount of \$53,119.99 the Riverbank Stabilization 2010 (Cedar Lane) is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **First Reading of Ordinance 930, An Ordinance Adding Chapter 34 to the Waverly Municipal Code Regarding the Hazard Mitigation Commission.**

Administrator Crayne outlined changes in the new ordinance. Mr. Crayne also suggested adding an additional paragraph "The Commission shall explore and recommend avenues to expand the recreational and economic development opportunities involving the Cedar River."

Kip Ladage would like to participate on a quarterly basis with the Commission. The Commission would probably focus on the Cedar River for the first five years and move on and focus on all hazards. Discussion followed on whether there should be two separate groups, a River Commission and a Hazard Mitigation Commission and change the title to the Hazard Mitigation and River Use Commission. Administrator Crayne will incorporate the amendments that he outlined.

Moved By: Grace

First Reading of Ordinance 930, An Ordinance Adding Chapter 34 to the Waverly Municipal Code Regarding the Hazard Mitigation Commission is hereby approved.

Yes: 7

No: 0

Absent: 0

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Planning & Zoning Commission – the packet for the Veteran’s Post will be coming to the Council during the week for the agenda on February 15th.

2. **Reports**

3. **Communications.**

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Saturday Budget Hearing No. 2 at 8:30 A. M.

Pie and Ice Cream for the Flood Buyout Victims tomorrow evening at 7:00 P. M.

Friday – Cedar River Watershed Coalition Meeting at UNI Campus.

G. ADJOURNMENT.

Moved By: Lindell

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 10:19 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk