

Regular Meeting Minutes
March 1, 2010 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on March 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.**

Faithe Guyer, Heather Landrum, Joe Amsberry, Leah Colsch of the Waverly Shell Rock Jazz Band led the Pledge of Allegiance.

2. **Prayer.**

Pastor Matthew Versemann, of St. John's Lutheran Church 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.

Moved By: Boorum

To move No. 5 under Public Hearings, to Item No. 1 under Public Hearings is hereby approved.

Yes: 7

No: 0

Absent: 0

The agenda as amended is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Olson

The February 15, 2010 Council Meeting Minutes are hereby approved as amended by adding wording under Regular Business No. 2 "per floor" after the common facility is 8,000 square feet and adding wording "per ordinance" after Community Development and Zoning Official Ben Kohout informed Council that the parking. The February 22, 2010 Council Meeting Minutes are hereby approved as amended by correcting wording from three to two additional mobile pumps and add wording "A group" of Ward 3 residents are going to meet Under Study Session No. 1 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Scott Harms as Guest Councilperson for March.

B. PUBLIC HEARING.

1. This is the date, time and place for a Public Hearing on the Proposed 2010-11 Budget. Administrator Crayne reviewed the revenues and expenditures for the proposed budget. There is a 1.14% increase in

property tax levy for the upcoming fiscal year. With the increase in property tax levy and rollback the total residential tax increase is 4%. Staff informed Duane Liddle that spreading of City's administrative costs through enterprise and project funds is an accepted practice and shows what the City's costs are. The City does inspection and administration on construction projects to keep costs down. City staff travel is noted in the budget and the Quarterly Professional Development reports are presented to Council. The hearing was declared closed and the following action was taken.

Moved By: Olson

Resolution 10-34, a Resolution Adopting the Annual Budget for Fiscal Year Ending June 30, 2011 is hereby approved.

Yes: 7 No: 0 Absent: 0

- 2. This was the date, time and place for a public hearing for the Old Yard Waste Site Reclamation 2010 Project. City Engineer Cherry informed Duane Liddle that the site would become similar to a woodland savannah setting to promote infiltration of storm water, and have a walking trail. The City used this area in previous years as a landfill and the DNR's recommendation was to restore the area as is. There will be a parking area. Discussion followed on parking for the Soccer Fields. The hearing was declared closed and the following action was taken.

Moved By: Boorum

Resolution 10-27, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the Old Yard Waste Site Reclamation 2010 Project with Estimated Costs of \$78,500 is hereby approved.

Yes: 7 No: 0 Absent: 0

- 3. This was the date, time and place for a public hearing for the Waverly Recycling Center – Asphalt Paving 2010 Project, Phase 1b. Traffic will be directed to the east side of the building when construction starts on the west side and vice versa. The closing of the site would be very disruptive to the public. The yardwaste site will be open April 5th if weather permits. The hearing was declared closed and the following action was taken.

Moved By: Lindell

Resolution 10-28, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the Waverly Recycling Center – Asphalt Paving 2010 Project, Phase 1b, with Total Estimated Costs of \$191,000 is hereby approved.

Yes: 7 No: 0 Absent: 0

- 4. This was the date, time and place for a public hearing for the 2010 Bituminous Seal Coat Program. City Engineer Cherry informed Council that the project includes seal coating ninety City blocks. The project will begin between mid June and be completed mid August. There will be additional street repair due to winter conditions. The hearing was declared closed and the following action was taken.

Moved By: Lindell

Resolution 10-29, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the 2010 Bituminous Seal Coat Program with Total Estimated Costs of \$145,000 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. This was the date, time and place for a public hearing Instituting Proceedings to take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not To Exceed \$750,000 General Obligation Refunding Capital Loan Notes, Series 2010. City Attorney Carney informed Deb Turnball Loan Notes tend to be shorter term than Bonds. Mr. Crayne stated that the issuance of these bonds is the refunding of previous debt. The current bonds will be paid off by issuance of the new bonds at a lower interest rate. The net cost savings is \$28,000 over a seven year period. This issue did not require a Moody's rating because it is was a refunding. The hearing was declared closed and the following action was taken.

Moved By: Grace

Resolution 10-33, A Resolution Instituting Proceedings to take Additional Action for the Authorization of a Loan Agreement and the Issuance of Not To Exceed \$750,000 General Obligation Refunding Capital Loan Notes, Series 2010 is hereby approved.

Yes: 7

No: 0

Absent: 0

C. VISITORS/PUBLIC COMMENTS.

Economic Development Director Jason Passmore informed Council that the State has introduced Expanded Business Rental Assistance Program, Loan Interest Supplement Program and the Commercial Rental Revenue Gap Program administered by Iowa Northland Regional Council of Governments for businesses affected by 2008 flood. Mr. Passmore asked the Council to inform businesses to stop in at City Hall for applications. Ten businesses have received their Business Rental Assistance and the City hopes that twenty more will receive their assistance in the next couple of weeks. There will be a Flood Insurance Meeting at First National Bank on Thursday, from 8:30 through 9:30 A. M.

D. CONSENT AGENDA.

1. Class B Beer Permit for Bremer County Fair Association.
2. Pay Request from Iowa Northland Regional Council of Governments for the HMGP Flood Buyout in the amount of \$6,543.80.

Moved By: Vowels

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

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. Resolution 10-30, A Resolution Approving Contract, Bonds and Insurance for the 5th Street NW and 5th Avenue NW Reconstruction Project 2010.

Staff will make sure that flood buyout housing utility connections are disconnected. City Engineer Cherry informed Council that a total street rebuild will last 75 years.

Moved By: Olson

Resolution 10-30, A Resolution Approving Contract, Bonds and Insurance from Heartland Asphalt of Mason City for the amount of \$562,493.84 for the 5th Street NW and 5th Avenue NW Reconstruction Project 2010 is hereby approved.

Yes: 7

No: 0

Absent:0

2. **Third Reading of Ordinance 930, An Ordinance Adding Chapter 34 to the Waverly Municipal Code Regarding the Hazard Mitigation / River Use Commission.**

Moved By: Lieb

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

Moved By: Boorum

To amend Ordinance 930 under Section 34.3 (2) add the word “full-time” before the word employee is hereby approved.

There is \$175,000 in the Flood account for a possible Southeast Waverly flood study and for permit fee rebates. The Commission will also look at Cedar River economic opportunities.

Yes: 7

No: 0

Absent: 0

3. **Resolution 10-31, A Resolution Finalizing the New Recycling Center Project Located at 2800 5th Avenue NW.**

The first change order included a different north snow load requirement, the second change order was a Council decision to delay the paving of the project but still had to add concrete work around the building and the third change order included final adjustment of quantities on earth work.

Moved By: Vowels

Resolution 10-31, A Resolution Finalizing the New Recycling Center Project Located at 2800 5th Avenue NW and Approving the Final Pay Request to Modern Builders of Janesville, Iowa in the amount of \$36,273.44 is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 10-32, A Resolution Approving Construction Documents and Performance Guarantee for the Fareway Store Development.**

Economic Development Director Passmore stated that there will be two more additional lights in the parking lot. The closing on the houses will be in the middle of the month and Fareway will begin demolition of the homes along 1st Avenue NW. Staff will be in contact with the school when demolition begins. The water main on 1st Avenue NW will be relocated.

Moved By: Olson

Resolution 10-32, A Resolution Approving Construction Documents and Performance Guarantee for the Fareway Store Development is hereby approved.

Yes: 7

No: 0

Absent:0

5. **Approving the Civic Center Exterior Renovation Project.**

Leisure Services Director Ray informed Council that the project involves replacement of worn and unsightly limestone panels and caps on the exterior of the building, replacement of the south steps, and installation of a de-icing system in the south steps. Government Buildings Superintendent Biermann hopes the de-icing system will prevent deterioration of the steps.

Moved By: Boorum

The Civic Center Exterior Renovation Project in the amount of \$57,350 is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Award Bid for Cab & Chassis for 1-Ton 4X4 Truck for the Street Division.**

Public Services Superintendent Sullivan informed Council that the Golf Course is paying \$8,000 toward the replacement truck and the current truck will replace a truck that is 22 years old.

Moved By: Grace

Awarding Bid for Cab & Chassis for 1 – Ton 4 X 4 Truck for the Street Division from Jerry Roling Chevrolet of Waverly, Iowa in the amount of \$27,369.80 is hereby approved.

Yes: 7

No: 0

Absent:0

7. **Setting of the Public Hearing for Rezoning from R-2 (One & Two Family Residential District) to C-2 (Commercial District) of Said City and the Comprehensive Plan Amendment for Wells Hollow Landscaping, L.L.C. on the South Side of Highway 3 in SE Waverly.**

Moved By: Kangas

Public Hearing for Rezoning from R-2 (One & Two Family Residential District) to C-2 (Commercial District) of Said City and the Comprehensive Plan Amendment for Wells Hollow Landscaping, L.L.C. on the South Side of Highway 3 in SE Waverly is hereby set for March 15, 2010 at 7:00 P. M. in the Council Chambers at City Hall as the date, time and place for a public hearing on said proposal.

Yes: 7

No: 0

Absent: 0

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Historic Preservation Commission Minutes –working with INRCOG to gather documents and materials needed for moving, deconstruction, and demolition of buyout properties.

Leisure Services Commissions Minutes- discussion of tree inventory and the Commission voted against using the Park Storage Building as an animal shelter.

Formal approval of the River Commission appointments will be on the March 15th agenda. Chris Triplett stated that he was glad that the Commission would be looking at hazard mitigation.

2. **Reports.**

3. **Communications.**

Letter from City Attorney Gerald Carney regarding Flood Buyout Status-no additional funds were received for buyout homes in February. City Attorney Carney informed Council that just recently INRCOG received twelve duplication of benefit's reports, and can proceed with closing documents. Administrator Crayne had sent the Governor's office an e-mail asking why the City had not received any funding in February. Mr. Crayne stated that it is slow at the State level with the number of requests and duplication of benefits process. The State has cut its staff.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

City Engineer Cherry informed Council that the levee along 1st Street NW will be one foot above the 100 year flood level or at 9.15 sea level elevation. The levee would only be two feet high along said route. The 7th Avenue SE levee will be protected three feet above flood stage or 2 ½ feet. The water backs up in the area south of Southeast School at a depth of 15 feet. City Engineer Cherry stated that in order to protect southeast Waverly to a 100 year flood level takes a very substantial levee system or flood protection because it sits significantly lower. The flooding in northwest and southwest Waverly occurs as flood waters move through Kohlmann Park and move past St. Paul's and is a short levee system to protect 400 to 500 homes. Southeast Waverly is four to six feet below the 100 year flood elevation and the levy system would have to be five to six feet high to get to the same elevation as the 100 year flood elevation. The Council has meetings with Staff on flood levels until the spring melt threat is over and Sarah Meyer-Ryerson has put out a media release talking about the City's neighborhood plan. The City does have HESCO barriers and enough staff and volunteers to set up said barriers and the equipment to put them in place. The Hazard Mitigation and River Use Commission and staff will review the Green Bridge blockage.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:41 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk

