

Regular Meeting Minutes
April 5, 2010 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 5, 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.**

Girl Scout Troop 679 members Susan and Delaney Cornforth, Claire Boots, Samantha Michler, Alexis Christensen led the Pledge of Allegiance.

2. **Prayer.**

Pastor Jim Lee of Grace Baptist 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.

4. **Minutes.**

Moved By: Vowels

The corrected (in bold) March 15, 2010 and March 22, 2010 Council Meeting Minutes are hereby approved and Council amended the March 22nd Minutes under No. 1 correcting sentence 2 to read “ The City of Waverly purchased 24 acres in 2002 for ball diamonds and under No. 2 under Study Session in the 4th bullet to read “SE Waverly – the City has requested that the Army Corps of Engineers do an additional flood study in SE Waverly and Federal funding was not available” are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Dane Johnston as Guest Councilperson for April.

B. PUBLIC HEARING.

1. This was the date, time and place for a public hearing on a proposal to Vacate and Deed the Alley within Block 36 of Harmon and LeValley's Addition for Fareway Stores, Inc. Economic Development Director Passmore informed Duane Liddle that the City has not maintained the alley for a long time and as part of the redevelopment project the City did not deem it necessary to charge Fareway for vacating the alley. There will still be a permanent easement for the sanitary sewer. The hearing was declared closed and the following action was taken.

Moved By: Kangas

Resolution 10-54, A Resolution Authorizing the Vacation and Deeding of the Alley within Block 36 of Harmon and LeValley's Addition for Fareway Stores, Inc. is hereby approved.

Yes: 7

No: 0

Absent: 0

C. VISITORS/PUBLIC COMMENTS.

Kelly Engelken of Waverly Chamber of Commerce informed Council of “Steps for Success” workshops that help people layout a business plan and prepare for the ups and downs of owning a business.

City Administrator Crayne informed Duane Liddle that if a citizen requests a copy of the budget and audit and if it is available, staff will honor the request.

Public Services Superintendent Sullivan announced that the new Yardwaste Site is open from 7:00 A. M. – 5:30 P. M. daily and on Saturday from 8:00 A. M. to 4:00 P. M.

D. CONSENT AGENDA.

1. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction in the amount of \$27,514.00.
2. Pay Request from McClure Engineering Company for the Waverly Airport Runway, Taxiway, & Apron Rehabilitation Project in the amount of \$3,440.00.
3. Pay Request from Iowa Northland Regional Council of Governments for the HMGP Flood Buyout in the amount of \$7,876.74.
4. Pay Request from Iowa Northland Regional Council of Governments for the HMGP Demolitions in the amount of \$173.51.
5. Pay Request from Vieth Construction Corp. for the Dry Run Creek Retaining Wall Construction 2009 in the amount of \$21,411.01.

Moved By: Grace

Items 1-5 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Resolution 10-57, A Resolution Authorizing the Donation of Waverly Fire Department Unusable Firefighter Gear, Outdated Tools, Miscellaneous Items and a Retired 1987 Rescue Truck to the International Firefighters, Assistance, Inc.**

Fire Chief Dennis Happel informed Council that several years ago the City received a Federal grant which totally outfitted the Fire Department with new gear and the Department has tried to sell the old gear with no success. The Volunteer Fire Department is requesting that the old gear be donated to the International Firefighters Assistance, Inc. to assist firefighters in the Haiti relief effort and to other Caribbean countries. The Fire Department will handle the freight costs. The Rural Fire Department is in favor of the donation and have relinquished their 50% ownership of the 1987 Rescue Truck.

Moved By: Boorum

Resolution 10-57, A Resolution Authorizing the Donation of Waverly Fire Department Unusable Firefighter Gear, Outdated Tools, Miscellaneous Items and a Retired 1987 Rescue Truck to the International Firefighters, Assistance, Inc. is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Authorize Staff to Proceed with Providing Streaming Video of Channel 10 and “On Demand” Services of Cablecast Meetings.**

Leisure Services Director Ray informed Council that the City will be able to take the existing cablecast signal and send it to a streaming host offsite. The streaming host will send a signal to the web so that anyone with an internet

connection can watch live or delayed version of the Council Meetings. The Streaming Media host will be able to archive four meetings. The hardware, wiring and seven months subscription to the media for the first year will be \$7,000 and succeeding years for the same level will be \$3,000 annually. If there is a large viewing audience monthly the City may have to increase archiving. The meetings are available on DVD at the Library. The hosting is budgeted out of Cable Franchise Fees. Dialup internet users will not be able to view the meetings. Jim Olmstede stated that additional gig of storage would be an additional \$15-\$20 monthly and the City can purchase additional storage at any time. **Dish subscribers** are not able to view the Council Meetings and this would be an alternative outlet. The Council discussed computer streaming as one of their Strategic Planning priorities as another outlet to local government. Cable Franchise fees remain steady because of the Franchise Agreement. Staff is striving to start streaming for the April Study Session Meeting.

Moved By: Boorum

Authorize Staff to Proceed with Contracting Streaming Media Hosting to Provide Streaming Video of Channel 10 and "On Demand" Services of Cablecast Meetings for the amount of:

Year 1 cost is initial purchase of \$5,436.80 plus monthly fees of \$234.95/month once the streaming is activated and

Year 2 cost is \$2,819.40 (\$234.95/month) plus the annual technical support for the hardware of \$250.00 per year for a total of \$3,069.40

is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 10-55, A Resolution Approving a Memorandum of Agreement between the City of Waverly and the Economic Development Administration, U. S. Department of Commerce, the Iowa Department of Economic Development and the Iowa State Historic Preservation Officer for the Waverly Dam Reconstruction Project.**

Administrator Crayne informed Duane Liddle that the Memorandum of Agreement was offered by the Economic Development Administration. The EDA and IDED received historic materials from the City on the Inflatable Dam. In 2009 the Tallgrass Historians prepared a study on the historical perspective of the Dam and the Building. The study looked at whether the historical perspective could be saved and still do the project. The agreement outlines four stipulations in order to address the history of the area. Item one is to make sure there is a sufficient record for archiving for the facility. The second item is to register the Building on the National Register of Historic Places. The third is to create a monument to preserve the historical features of the dam. Finally the fourth stipulation is to take photographs of the dam today, during construction and after completion to be part of the archive. Staff is looking at how to achieve the photography, salvage and the National Register for the building. This is key agreement to satisfy the historical requirement of EDA, IDED and SHPO for the use of Federal funding. If approved by all parties, the next step would be forwarding the Economic Development funding agreement for City Council approval. Stanley Consultants will be at the April Study Session to review the plans for the Waverly Dam Reconstruction Project. The EDA will reimburse costs as the City incurs them. July 12, 2010 will be the date for the Council's decision to award the project. Administrator Crayne reminded Council that it is

\$4,200,000 project funded at 100%. If the project goes over budget, the Council will have to decide whether it is a worthy project based on the percentage of funding that the City would have to fund for the benefits attained. City Engineer Cherry informed Council that the bidding environment is favorable. Mr. Cherry also informed Duane Liddle that \$246,000 allocated for construction administration and compliance procedures were included in the grant budget. As Stanley Consultants develop construction documents, the City will have a much better idea of administration services and compliance procedure costs.

Moved By: Lieb

Resolution 10-55, A Resolution Approving a Memorandum of Agreement between the City of Waverly and the Economic Development Administration, the Iowa Department of Economic Development and the Iowa State Historic Preservation Officer for the Waverly Dam Reconstruction Project is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 10-56, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Iowa Northland Regional Council of Governments (INRCOG) to Submit a Grant Application to the Iowa Department of Economic Development (IDED) for the Single Family New Production 2 Program and Authorizing the Mayor to Support said Application.**

Economic Development Director Passmore informed Council that the City submitted an application for 5 homes for the first program. The second program also is targeted for income qualified applicants that have not received any flood money. At the time of closing applicants will receive 25% of the cost of the new home paid off. The City is applying for four new homes. Two homes would be at the level of \$150,000 and below and two homes at \$180,000 and below. The deadline to submit proposals is May 1st. The program is for flooded communities not flood victims and there is a small percentage of applicants that will meet criteria. The State provides a forgivable loan if qualified recipients live in the house five years.

Mr. Passmore stated that interested parties can get an application in the Economic Development Department office. The City did lose a portion of low to moderate income housing stock in the flood. Staff will continue to get the word out.

Moved By: Lindell

Resolution 10-56, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Iowa Northland Regional Council of Governments (INRCOG) to Submit a Grant Application to the Iowa Department of Economic Development (IDED) for the Single Family New Production 2 Program and Authorizing the Mayor to Support said Application is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Discussion of Future Use of WSR Irving School Property.**

Administrator Crayne was informed by the Superintendent of Schools that WSR Schools did not see a future school use for the Irving School property. The money the WSR Schools received did not restrict the ownership of the property. There has been no correspondence from WSR Schools on said proposal, but the Superintendent asked if the City would have a use for the property. Future improvements to the dry run is a possibility. Administrator Crayne questioned

whether the property is in a floodway or floodplain and if a band shell could be placed on the property. Economic Development Director Passmore stated that there is a small parcel of flood plain where a structure could be placed, but the rest of the property is in the floodway. Neighbors of the Irving School Property are opposed to a retention pond. The houses along 4th Street directly south of the Irving School property and the two houses behind Domino's will be demolished and will leave a large green space area. Councilmember Vowels had talked to the Science and Agriculture teachers at the High School about using housing buyout lots as WSR nature study areas. The Irving School property is zoned R-2, multi residential and could be used for duplexes if elevated.

6. **Review the Progress on the First Round Flood Buyouts.**

City Attorney Carney stated that 13 properties were purchased in March, three were purchased today and 7 will be purchased tomorrow and the total of 38 homes were purchased. There are five closings set for next week and a couple that remain to be scheduled. 45 homes will be closed by the end of April. There are 69 property owners that want to participate in the buyout program and one still has not submitted documentation to INRCOG. One of the properties was purchased by Fareway. INRCOG has completed its initial work with offers to buyout property owners. Mr. Passmore informed Council that INRCOG is packaging another bundle of 9 homes that have gone through the buyout process and are ready for asbestos survey. Asbestos abatement contracts will come to Council. INRCOG would like to package 10-15 homes at a time for asbestos abatement. The City would get a better bid and product if the homes were bundled into a group of 10 to 15 homes. Demolition of the first buyout homes will probably begin in two to three months. Historical homes require a separate process in determining demolition status.

7. **Resolution 10-49, A Resolution Appointing Wells Fargo Bank, National Association of Des Moines, Iowa, To Serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent and Authorizing the Execution of the Agreement for \$670,000, General Obligation Refunding Capital Loan Notes, Series 2010A.**

Finance Director Bachhuber informed Council that this is the approval for Wells Fargo to act as the paying agent for the refunding bonds. The savings for refunding of the bonds is \$42,000.

Moved By: Grace

Resolution 10-49, A Resolution Appointing Wells Fargo Bank, National Association of Des Moines, Iowa, To Serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent and Authorizing the Execution of the Agreement for \$670,000, General Obligation Refunding Capital Loan Notes, Series 2010A is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Approve the Tax Exemption Certificate.**

The people that are buying the bonds and receive the interest on the bonds do not have to pay Federal tax.

Moved By: Boorum

The Tax Exemption Certificate is hereby approved.

- Yes: 7 No: 0 Absent: 0**
9. **Resolution 10-50, A Resolution Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance of \$670,000 General Obligation Refunding Capital Loan Notes, Series 2010A, and Levying a Tax to pay the Notes.**
Moved By: Vowels
Resolution 10-50, A Resolution Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance of \$670,000 General Obligation Refunding Capital Loan Notes, Series 2010A, and Levying a Tax to pay the Notes is hereby approved.
- Yes: 7 No: 0 Absent: 0**
10. **Resolution 10-51, A Resolution Approving Contract Documents for the 2010 Bituminous Seal Coat Program.**
Moved By: Lindell
Resolution 10-51, A Resolution Approving Contract Documents for Concrete Foundations, Inc. in the amount of \$111,403.00 for the 2010 Bituminous Seal Coat Program is hereby approved.
- Yes: 7 No: 0 Absent: 0**
11. **Resolution 10-52, A Resolution Approving Contract Documents for the Waverly Recycling Center – Asphalt Paving 2010 Project.**
Moved By: Vowels
Resolution 10-52, A Resolution Approving Contract Documents for Heartland Asphalt for the amount of \$177,550.60 for the Waverly Recycling Center – Asphalt Paving 2010 Project is hereby approved.
- Yes: 7 No: 0 Absent: 0**
12. **Resolution 10-53, A Resolution Approving Contract Documents for the Old Yard Waste Site Reclamation 2010 Project – Phase 2.**
Moved By: Olson
Resolution 10-53, A Resolution Approving Contract Documents for Benton’s Sand & Gravel for the amount of \$46,070 the Old Yard Waste Site Reclamation 2010 Project – Phase 2 is hereby approved.
- Yes: 7 No: 0 Absent: 0**
13. **Award Bid for Truck Box, Hydraulics, Rear Hitch, Snow Plow, and Sander for 2010 Chevy 1-Ton 4x4 Cab & Chassis.**
Moved By: Boorum
The Bid from Don’s Truck Sales of Fairbank for Truck Box, Hydraulics, Rear Hitch, Snow Plow, and Sander for 2010 Chevy 1-Ton 4x4 Cab & Chassis for the amount of \$18,890 is hereby approved.
- Yes: 7 No: 0 Absent: 0**

F. BOARDS AND COMMISSIONS.

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

Cedar Trails Partnership Grant Letter – the City received \$1,975.00 for signage and bike racks. Leisure Services Director Ray stated bike racks will be put in parking lots in the Downtown area. Signage will highlight the Rail Trail. The City Sidewalk Ordinance will have to be amended to allow bikes in the Downtown Area. The Rail Trail cleanup is from 8:30 to 11:30 A. M. and will meet at the Civic Center.

Senior Citizens Calendar-The Senior Citizens Center is looking for drivers to deliver Meals on Wheels.

The Council congratulated Dick Crayne on his Joe Lukehart Service Award.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

This Sunday at 5:00 P. M. in the Civic Center there will be a public information meeting on moving of the ball diamonds and the Bremer County Fair.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:35 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk