

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on July 12, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorum, Gary Grace, Tim Kangas, Richard Lindell, Jim Vowels and Gene Lieb. Absent: Kathy Olson.

1. **Pledge of Allegiance.**

Mayor Brunkhorst led the Pledge of Allegiance.

2. **Prayer.**

Pastor Moody Colorado of Heritage United Methodist Church introduced a prayer for the 2010 Council.

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

Moved By: Kangas

That the agenda for this Council meeting is amended by removing Item 10 under Regular Business is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Minutes.**

Moved By: Grace

The June 21, 2010 and June 28, 2010 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Guest Councilperson.**

Council welcomed Dr. Alicia Calease as Guest Councilpersons for July.

Alicia Knapp, 2010 Beef Queen, stated that the Bremer County Fair is August 1st through August 7th. Ms. Knapp reviewed coming events to the Bremer County Fair.

B. PUBLIC HEARING.

1. This was the date, time and place for a Public Hearing on Ordinance 936, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-1 (Residential District) of Said City and Set Public Hearing Date for Jon Elsamiller along East Bremer Avenue. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorum

Second Reading of 936, 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 Jon Elsamiller is hereby approved / not approved.

Yes: 6

No: 0

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Economic Development Director Passmore informed Council that the City of Waverly applied for five CDBG single family new construction home loans and all 5 have been awarded. The City also applied for additional four homes for single family new construction home #2 and have been awarded said grant for 25% down payment at the time of closing for qualified applicants.

Duane Liddle asked for Civic Center Bonding Agent and Lease Agreement.

D. CONSENT AGENDA.

1. **Cigarette Permit for:**
Walgreen's
2. Pay Request from McClure Engineering Company for the Waverly Airport Runway, Taxiway & Apron Rehabilitation in the amount of \$1,470.00.
3. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction and 5th Avenue NW Resurfacing Project in the amount of \$53,508.69.
4. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction Phase 2 – Engineering Design & Bidding in the amount of \$33,746.47.
5. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$2,767.16.
6. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$3,058.30 –First National Bank has met with their appraiser.
7. Pay Request from Snyder & Associates for the 4th Street SW Traffic Study in the amount of \$384.00.

Moved By: Lindell

Items 1 – 7 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

E. REGULAR BUSINESS.

1. **Resolution 10-87, A Resolution Awarding Contract for the Waverly Dam Reconstruction Project.**

Marty Weber of Stanley Consultants informed Council that the City received two bids for the project. There were four addenda that were issued during the bid period:

- Extended completion date –half the dam complete by the end of 2010 and the other half at the end of 2011.
- State Historic Preservation Office requires that once the coffer dam is in, a photo historian takes pictures of the structures, writes a report, and submits the report to SHPO for approval. Tallgrass Historians will be doing the documentation.

Stanley Consultants did not recommend the extension of warranty on the gate system and Cedar River pool drawdown during construction. City Engineer Cherry informed Council the Contractor designs the coffer dam and layout and then City staff can discuss other options. Mr. Weber informed Mr. Liddle that the accepted Hydraulic Modeling by the State agencies and Stanley's studies show that the dam will provide substantial reduction and drop the water level 3 to 3 ½ feet during a 100 year food and provide flood mitigation in northwest, southwest and northeast Waverly from the Cedar River.

Moved By: Grace

Resolution 10-87, A Resolution Awarding Contract for the Waverly Dam Reconstruction Project to Peterson Contractors, Inc. of Reinbeck, Iowa, for the bid amount of \$3,689,960.00 is hereby approved.

Yes:6

No: 0

Absent: 1

2. **Resolution 10-88, A Resolution Approving Supplemental Agreement No. 1 Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project.**

There will be no additional costs to the original estimate.

Moved By: Lindell

Resolution 10-88, A Resolution Approving Supplemental Agreement No. 1 Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project which formally amends the original scope of services at the request of the City of Waverly and the Economic Development Administration's (EDA's) Memorandum of Understanding (MOU) added the scope for water main accommodation, storm sewer accommodation and structural floor reinforcement is now to be included in the project is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Resolution 10-89, A Resolution Approving Supplemental Agreement No. 2 Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project.**

Moved By: Boorum

Resolution 10-89, A Resolution Approving Supplemental Agreement No. 2 Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project dated, January 19, 2009 for compensation to be on an hourly basis plus direct expenses not to exceed \$200,000 for Phase 4 and compensation to be on an hourly basis plus direct expenses not to exceed \$22,057 for historic preservation mitigation is hereby approved.

Yes:6

No: 0

Absent: 1

4. **Resolution 10-90, A Resolution Approving Engineering Services Proposal for Impala Subdivision Detention Basin Modifications.**

City Staff informed Duane Liddle that costs for outlet modifications would be covered under the construction bond. All detention facilities are designed with an emergency spillway if it is in excess of a 100 year event. The Hazard Mitigation/River Use Commission is reviewing City standards regarding outlet modifications to new detention facilities and the impacts.

Moved By: Vowels

Resolution 10-90, A Resolution Approving an Engineering Services Agreement with TeKippe Engineering, of West Union, Iowa to design the outlet modifications of the Impala Subdivision of the Impala Subdivision storm water detention basin in the amount of \$1,150.00 with total estimated project costs of \$15,150.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Resolution 10-91, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Asbestos Abatement of Eleven Flood Damaged Properties Acquired by the City through the 2008 HMGP Acquisition and Demolition Project.**

Community Development and Zoning Official Kohout informed Council weather permitting that the demolition of buyout homes may continue into 2011. FEMA requires completion of the project within three years. All housing has been bought out except two properties that are in process.

Moved By: Vowels

Resolution 10-91, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Asbestos Abatement of Eleven Flood Damaged Properties, Acquired by the City through the 2008 HMGP

Acquisition and Demolition Project, to Site Services, of Algona, Iowa, in the amount of \$16,550.00 for the following Eleven (11) Properties
510 5th Ave. NW 421 2nd St. SW 122 5th St. SW
111 2nd Ave. NE 516 2nd St. SW 113 5th Ave. SW
517 2nd St. SE 803 2nd St. SW 115 6th Ave. SW
220 7th Ave. SE 116 5th St. SW
is hereby approved.

Yes: 6 No:0 Absent: 1

6. **Resolution 10-92, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of Ten Flood Damaged Properties Acquired by the City Through the 2008 HMGP Acquisition and Demolition Project to Determine if the Properties Have Materials Containing Asbestos.**

Moved By: Kangas

Resolution 10-92, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of Ten Flood Damaged Properties Acquired by the City Through the 2008 HMGP Acquisition and Demolition Project to Determine if the Properties Have Materials Containing Asbestos, to ATC Associates, of Waterloo, Iowa, in the amount of \$5,390.00 for the following ten (10) properties
414 6th St. NW 120 3rd St. SW
523 6th St. NW 509 3rd St. SW
524 6th St. NW 725 3rd St. SW
1605 Cedar Lane 310 3rd Ave. SW
915 8th St. SE 401 5th St. SW

is hereby approved.

Yes: 6 No: 0 Absent: 1

RCV: 7. **Resolution 10-93, A Resolution Approving a Design Survey Agreement for the 2nd Avenue SW Reconstruction Project – 2011.**

Moved By: Lindell

Resolution 10-93, A Resolution Approving a Design Survey Agreement for the 2nd Avenue SW Reconstruction Project – 2011 with Terry Van Laningham, P.L.S., Inc. of Waverly, Iowa for a lump sum price of \$4,500.00 is hereby approved.

Yes: 6 No: 0 Absent: 1

8. **“The W” Advisory Committee Will Report to Council on the Wartburg-Waverly Sports and Wellness Center.**

Jackie Hansen, Chair of “The W” Advisory Board informed Council that current membership is 2500 which is 30% of Waverly’s population. There are 10,000 unique users. The Board approved a reduced rate for seniors and all rates are the same for community recreation. To increase memberships, “The W” provides activities for students on early out and no school days. The fees have not been raised since “The W” opening. There has been other area school events held at “The W.” Lifeguarding classes are offered at “The W.” Programming ranges from pre-school through seniors. The Fall Brochure will come out in August. The new senior rate increased membership significantly. There is a reduced rate for memberships and classes for persons who qualify. Discussion followed on incentives for corporate businesses who provide wellness memberships to their employees and realize a return on their investment. The Advisory Board will be discussing partnering with the Hospital on screening of community members who do not exercise. Jim Langel

informed Dr. Calease that if you purchase a guest pass, community members can try out different classes. “The W” will continue to have “Community Appreciation Days” so people can come and try out the facility. You can find “The W” on facebook. Dennis Dickman of the Advisory Board stated that community members are getting used to the facility and using it. Reverend Dickman also was impressed with all the people who come to meets held at “The W” from all over Iowa to watch athletes compete and its economic impact to Waverly.

9. **Resolution 10-94, A Resolution Rescinding Resolution 06-10 and Approving Purchase Policies for the City of Waverly.**

A new policy included professional services agreements over \$5,000 would require Council approval.

Moved By: Lindell

Resolution 10-94, A Resolution Rescinding Resolution 06-10 and Approving Purchase Policies for the City of Waverly is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **Approve Purchase of Utility Tractor, Integrated Cab, and Loader for Parks Division.**

Item was removed from the agenda.

11. **Resolution 10-95, A Resolution Accepting Maintenance Repairs and Releasing BNKD, Inc. from future maintenance responsibility of the public infrastructure for Stone Haven IV – Phases 1 & 2.**

Moved By: Boorum

Resolution 10-95, A Resolution Accepting Maintenance Repairs and Releasing BNKD, Inc. from future maintenance responsibility of the public infrastructure for Stone Haven IV – Phases 1 & 2 is hereby approved.

Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Library Director Sarah Meyer Ryerson informed Council that there was a special Historic Preservation Commission meeting to discuss Historic Surveys that will be done in Waverly. The first phase will be a historic survey of Downtown funded by FEMA. The Commission reviewed the one request for proposal for the Downtown area and will be working on a contract with Tallgrass Historians. The Commission is interested in salvaging historic items from the buyout properties between when the asbestos abatement is done and demolition. Kyle Durant of INRCOG outlined the home demolition timeline. Community Development and Zoning Official Kohout voiced his concern with extending the timeline for historic salvage due to future winter weather conditions. Mr. Kohout informed Council that there will be two different groups of homes at two different times that will go through asbestos testing and abatement, allow two weeks for historic salvage for each group and then proceed with demolition. The Commission will be discussing historic salvage storage at their meeting next week. Any historic salvage profits will be given to the Commission to sustain any storage expenses. The City will be following Open Space and Smart Growth planning after demolition of buyout homes.

Planning and Zoning Commission Minutes-discussion at next meeting on wind or green energy.

Waverly Airport Commission Minutes-discussion on EAA Youth Camp.

Lyons Pancake Breakfast this Sunday at the Airport.

Discussion of Waverly Light & Power's on-line observation of resident's electric bill and home energy tune-up.

This is the last week of Kohlmann Park Concerts.

2. **Reports.**
3. **Communications.**

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 8:44 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk