

Regular Meeting Minutes
August 2, 2010 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on August 2, 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, Kathy Olson and Gene Lieb. Absent: None

1. **Pledge of Allegiance.**

Daisy Scout Troop #6013 led the Pledge of Allegiance.

2. **Prayer.**

Pastor Jim Carpenter of Redeemer 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.

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Boorum

The July 19, 2010 and July 26, 2010 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Janet Platter as the Guest Councilperson for August.

B. VISITORS/PUBLIC COMMENTS.

Karen Lehman and Jim Hundley of Historic Preservation Commission voiced concern with the short time for the proposed salvage from flood damaged homes. The Historic Preservation Commission is working on plans to house and feed the Vista volunteers of Preservation Iowa for removal of said salvage. The Commission is arranging for trucks to haul and storage for said salvage. Ms. Lehman asked:

- the Council if Rod Scott of Preservation Iowa could go into said properties and do a prior assessment of salvage.
- if the Council would consider extending the time for removal of salvage.

Other items discussed:

- Community Development and Zoning Official Kohout has been talking with Homeland Security, Preservation Iowa, INRCOG and Historic Preservation Commission and agreed that two weeks for historic salvage for 15 homes was reasonable.
- City Attorney Carney will create a waiver of liability for persons doing prior assessment of flood buyout homes.

- Mr. Kohout needs a salvage end date to prepare demolition bids to remove the houses before winter.
- Kris Brunkhorst stated that Rod Scott now thinks that four weeks is needed for salvage.
- The Council has received calls from residents wanting the properties demolished.
- Council agreed that Preservation Iowa should do a pre-assessment to see how much salvage needs to be removed from the flood properties.
- Mr. Hundley informed Council that the salvage would be for sale after removal.

Paula Stevenson with the Waverly Chamber of Commerce informed Council that downtown business owners would like to amend the City Ordinance to utilize the sidewalk and put sandwich boards, pots or chairs or stools on them. Benches and trash receptacles for the downtown area have been ordered. Ms. Stevenson petitioned the Council to suspend the ordinance from August 15th – December 31, 2010 to permit business owners the use of the sidewalk. The Council will review the waiver with some guidelines at its next meeting.

C. CONSENT AGENDA.

1. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction Phase 2 – Engineering Design & Bidding in the amount of \$32,008.17.
2. Pay Request from Concrete Foundations for the 2010 Bituminous Seal Coat Program in the amount of \$90,231.41.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the HMGP Demo in the amount of \$2,146.49.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the HMGP Flood Buyouts in the amount of \$4,269.09.
5. Pay Request from Northern Michigan K-9, Inc. for new Dual Purpose Narcotic K-9 in the amount of \$12,500.00.
6. Pay Request from Acterra Group, Inc. for the Waverly Municipal Airport Fuel Farm Jet-A-Tank and Cabinet in the amount of \$24,646.84.
7. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction and 5th Avenue NW Resurfacing in the amount of \$66,472.77.

Moved By: Olson

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

Yes: 7

No: 0

Absent: 0

D. REGULAR BUSINESS.

1. Resolution 10-102, A Resolution of the City of Waverly, Iowa, Selecting a Contractor for the Asbestos Abatement of Fifteen Flood Damaged Properties Acquired by the City through the 2008 HMGP Acquisition and Demolition Project.

Moved By: Lindell

Resolution 10-102, A Resolution of the City of Waverly, Iowa, Selecting a Contractor for the Asbestos Abatement of Fifteen Flood Damaged Properties Acquired by the City through the 2008 HMGP Acquisition and Demolition Project to Advanced Environmental, in the amount of \$66,400.00 for the following Fifteen (15) Properties

510 4 th Ave. NW	408 2 nd Ave. NW	703 7 th St. NW
317 4 th St. NW	601 3 rd St. SE	316 5 th St. NW
224 6 th St. NW	212 4 th Ave. SE	314 2 nd Ave. NW
117 6 th St. NW	514 3 rd St. SE	204 2 nd Ave. NW
522 1 st Ave. NW	522 3 rd Ave. NW	322 3 rd Ave. NW

is hereby approved.

Yes: 7

No: 0

Absent: 0

2. Resolution 10-103, A Resolution of the City of Waverly, Iowa Selecting a Contractor for the Survey, Inspection and Testing of Five (5) Flood Damaged Properties Acquired by the City through the 2008 HMGP Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos.

Community Development and Zoning Official Kohout informed Council that 59 homes have completed asbestos surveys. Once the properties have been mitigated of the asbestos, the bidding for the removal of the structures on the buyout properties will commence.

Moved By: Lindell

Resolution 10-103, A Resolution of the City of Waverly, Iowa Selecting a Contractor for the Survey, Inspection and Testing of Five (5) 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 \$2,940.00 for the following Five (5) properties

500 1 st St. SE	520 4 th Ave. NW	408 6 th St. NW
306 3 rd Ave. NW	215 2 nd Ave. NW	

is hereby approved.

Yes: 7

No: 0

Absent: 0

3. Resolution 10-107, A Resolution Approving a City / Company Agreement with Rolling Meadow Limited Partnership for the 10th Avenue SW Left Hand Turning Lane Improvements.

Economic Development Director Jason Passmore stated that Rolling Meadow Partnership has installed turning lane improvements and has requested economic development assistance for said improvements. During discussions the City proposed installing an 8-foot wide sidewalk along 10th Avenue SW and make final repairs to maintenance items within

Rolling Meadow Subdivision in lieu of any direct financial assistance to the developer. The sidewalk installation will allow the City to expand the project to the Waverly Light & Power and Heritage Dental properties to enhance the pedestrian access along 10th Avenue SW. WLP and Heritage Dental would reimburse the City for installing said sidewalk.

Moved By: Boorum

Resolution 10-107, A Resolution Approving a City / Company Agreement with Rolling Meadow Limited Partnership for the 10th Avenue SW Left Hand Turning Lane Improvements is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Resolution 10-108, A Resolution Approving a City / Company Agreement with Roling Properties, L.C. for their New Car Dealership Showroom, Service Garage & Collision Center.**

Roling Properties L. C. has requested development assistance for the construction of their new car dealership showroom, service garage and collision center. The net increase in valuation is \$824,850. The Company agrees to relocate and reconnect all existing utilities and construct a City sidewalk to City specifications and approval. The City agrees to provide an incentive of \$73,134 payable to the Company upon completion of the project. Brad Roling informed Council that project completion should be in February. Rob Stensland of Modern Design Architects stated existing utilities will be rerouted including storm sewer to eventually connect with a proposed regional detention facility as a part of the 4th Street SW reconstruction project. City Engineer Cherry informed Council that with the 4th Street SW Project the storm water flow will be divided. The east half of the storm water flow for 4th Street SW will go to the east side and the west half will go to the west side.

Moved By: Grace

Resolution 10-108, A Resolution Approving a City / Company Agreement with Roling Properties, L.C. for their New Car Dealership Showroom, Service Garage & Collision Center is hereby approved.

Yes: 7 No: 0 Absent: 0

5. **Review of Bids and Approval of Equipment Purchase for the Parks Division.**

Leisure Services Director Ray recommended the Council accept the low bid specified with an upgrade in horsepower. Additional horsepower will allow the Parks Division to complete their year round work with a more powerful, durable unit.

Moved By: Boorum

Purchase of a Kubota 4740 HSTC Utility Tractor with Loader and Integrated Cab for the Parks Division with the trade in of the 1997 Deere 1070 tractor from Deike Implement of Waverly, Iowa in the amount of \$26,980.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Resolution 10-101, A Resolution Approving the Street Finance Report FY 2009-10.**

Finance Director Bachhuber informed Council that the report outlines the dollars that were spent in Road Use Tax Fund. If the City does not file the report, the City will not receive Road Use Tax Funding. Mr. Bachhuber stated that the Department of Transportation website lists the Waverly's street department equipment so in case of an emergency or a major need for equipment in concentrated areas that there can be some sharing.

Moved By: Kangas

Resolution 10-101, A Resolution Approving the Street Finance Report FY 2009-10 is hereby approved.

Yes: 7

No: 0

Absent: 0

7. **Pay Request to Benton's Sand & Gravel for the Old Yard Waste Site Reclamation Phase 2 – Grading and Vegetation Restoration.**

The City has acquired \$100,000 of Regional Transportation Enhancement funds to connect the Brookwood Park Trail to the Soccer Complex.

Moved By: Olson

Pay Request to Benton's Sand & Gravel for the Old Yard Waste Site Reclamation Phase 2 – Grading and Vegetation Restoration in the amount of \$2,612.50 is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Resolution 10-104, A Resolution Finalizing the Old Yard Waste Site Reclamation Phase 2 – Grading and Vegetation Restoration and Approving Final Pay Request.**

The Old Yard Waste has been gated and people were directed to the new yardwaste site until the new project is completed.

Moved By: Vowels

Resolution 10-104, A Resolution Finalizing the Old Yard Waste Site Reclamation Phase 2 – Grading and Vegetation Restoration and Approving Final Pay Request to Benton's Sand & Gravel of Cedar Falls, Iowa in the amount of \$2,720.50 is hereby approved.

Yes: 7

No: 0

Absent: 0

9. **Resolution 10-105, A Resolution Approving Professional Services Agreements for the Dry Run Creek – Watershed Planning Grant Application Assistance and the SE Waverly Flood Protection Feasibility Study.**

AECOM will be using FEMA Flood Insurance Maps and State of Iowa Light Arm mapping to review the existing elevations and contours. They will look at permanent flood control measures that may be effective during a 50 year, 100 year and 500 year flood event. The Watershed Planning Grant Application is an effort for improvement of Waverly's watershed. AECOM will identify protection and what that impact will be, the benefit and the cost. The Corps of Engineers support projects where benefit exceeds the cost. Randy Neuendorf stated for the City to move forward with a SE Waverly Flood Protection plan, the data from the Study is needed.

Moved By: Boorum

Resolution 10-105, A Resolution Approving Professional Services Agreement for the Dry Run Creek – Watershed Planning Grant Application Assistance Application with AECOM of Waterloo, Iowa for a not-to-exceed amount of \$5,400.00 and approving the Professional Services Agreement for the SE Waverly Flood Protection Feasibility Study to AECOM of Waterloo, Iowa for a not-to-exceed amount of \$35,000.00 is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **Resolution 10-106, A Resolution Approving the Extension of the Sidewalk Performance Guarantee (Letter of Credit) for Impala Subdivision.**

City Engineer Cherry stated that the owner of Lots 34 & 36 does not intend to build any homes on said lots. Neighboring property owners petitioned the the City to complete the sidewalk system. The Council will review subdivision sidewalks in the near future.

Motion By: Grace

A Resolution Approving the 2-year extension of the Sidewalk Performance Guarantee (Letter of Credit) for Impala Subdivision for Lots 12, 13, 14 & 22 and Approving the 2-year extension of the Sidewalk Performance Guarantee (Letter of Credit) for Impala Subdivision for Lots 34 & 36 set to expire August 15, 2012 is hereby approved.

Yes: 7

No: 0

Absent: 0

11. **Second Reading of Ordinance 937, An Ordinance Amending Chapter 71 Of the Waverly Municipal Code Regarding Open Burning.**

Moved By: Kangas

Second Reading of Ordinance 937, An Ordinance Amending Chapter 71 of the Waverly Municipal Code Regarding Open Burning is hereby approved.

Yes: 7

No: 0

Absent: 0

12. **Approval of the Final List of 2009 - 2010 Yearly Transfers.**

Finance Director Bachhuber stated that this is the final list of year end transfers. The transfer from the flood fund to various funds to cover expenses incurred during the flood.

Moved By: Boorum

The Final List of 2009-10 Yearly Transfers are hereby approved.

Yes: 7

No: 0

Absent: 0

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Planning and Zoning Commission Minutes-Community Development and Zoning Official Kohout stated that the P&Z Commission will review the Alternative Energy ordinance proposal and make a recommendation to Council this month.

Economic Development Commission Minutes-Council thanked Jason Passmore for all his work as the City's Economic Development Director.

Golf Commission Minutes – discussion of tree removal along Waverly Light & Power’s major power source feeding the City. The Golf Commission approved to offer 8 rounds of golf to the “Hackers Guide” organization to rate and market the City’s course.

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

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

It will be a 6 weeks before permanent repairs to the traffic light by the Library will be completed. The traffic signal timing of the cross streets along Bremer Avenue coincide with the width of the street.

The 5th Street and 5th Avenue NW Reconstruction project is two or three weeks behind schedule. Staff hopes that the project will be completed before school starts and Wartburg classes begin.

Discussion followed on sealcoating of streets.

The original 2nd Avenue SW project cost was lowered and staff will gather information on streets and perhaps apply those funds to other streets with immediate needs.

Council thanked the Public Services’ Street Crew on storm cleanup. Councilmember Vowels rode with the Solid Waste crew and thanked them for their work and urged Waverly Citizens to recycle. Public Services Superintendent Sullivan informed Council that citizens can pick up solid waste containers at the Public Services Building. Said containers can be hooked up to the garbage truck and dumped in the truck.

Wartburg Athletic Director Rick Willis stated that the proceeds from the first home football game will go to the Police Department and to the Fire Department. Council thanked Wartburg College for their contribution.

Police Chief Pursell informed Council that the Police Department has opened the enrollment for the Citizens Police Academy.

G. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:32 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk