

Regular Meeting Minutes
September 13, 2010 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorum, Tim Kangas, Jim Vowels, Kathy Olson and Gene Lieb. Absent: Richard Lindell and Gary Grace

1. **Pledge of Allegiance.**

Led by Mayor, Brunkhorst.

2. **Prayer.**

Reverend Jon Hennings of Peace Church introduced a prayer for the 2010 Council.

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

Moved By: Boorum

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 5

No: 0

Absent: 2

4. **Minutes.**

Moved By: Vowels

The August 16, 2010 and August 23, 2010 Council Meeting Minutes are hereby approved.

Yes: 5

No: 0

Absent: 2

5. **Guest Councilperson.**

The Council welcomed Willie Clyde Mohorne as the Guest Councilperson for September.

B. PUBLIC HEARING.

1. This was the date, time and place for a Public Hearing on plans, specifications, form of contract and estimated cost for the 10th Avenue SW Sidewalk Construction Project 2010.

The Mayor called for any oral or written comments and there were none. Items raised included:

- the sidewalk should be finished all the way to 4th Street SW and should not stop east of the railroad tracks;
- additional cost to complete the sidewalk to 4th Street SW would be upwards of \$90,000 - \$100,000;
- larger sidewalk projects promote lower bids;
- construction will occur in September or October of this year;
- there will be some grading issues to complete the sidewalk to 4th Street SW;
- the sidewalk being installed is absolute minimum width for trail purposes;
- the sidewalk extension to 4th Street SW should be made a priority and officially adopted in a resolution.

The hearing was declared closed and the following action was taken.

Moved By: Olson

Resolution 10-122, A Resolution Approving plans, specifications, form of contract and estimated cost for the 10th Avenue SW Sidewalk Construction Project 2010 is hereby approved.

Yes: 5

No: 0

Absent: 2

Resolution 10-123, A Resolution Awarding Contract for the 10th Avenue SW Sidewalk Construction Project 2010.

Moved By: Vowels

Resolution 10-123, A Resolution Awarding Contract to Baker Concrete & Excavating of Waverly, Iowa for a bid price of \$50,928.00 for the 10th Avenue SW Sidewalk Construction Project 2010 is hereby approved.

Yes: 5

No: 0

Absent: 2

C. TABLED ITEMS.

1. **Resolution 10-112, A Resolution Establishing a Program for Maintenance and Repair of Existing Sidewalks.**

No action was taken on this item.

D. VISITORS/PUBLIC COMMENTS.

- Cedar Rapids has begun a project for rehabbing affordable housing which was impacted by the 2008 flood event, why can't the City of Waverly do something like this?
- Mayor Brunkhorst will call the Mayor of Cedar Rapids to learn more about this program.

E. CONSENT AGENDA.

1. Pay Request from McClure Engineering Company for the Waverly Airport – Jet A Fueling Tank in the amount of \$770.00.
2. Pay Request from McClure Engineering Company for the Waverly Airport Runway, Taxiway & Apron Rehabilitation Project in the amount of \$789.50.
3. Pay Request from ATC Associates Inc. for Asbestos Inspection of 10 properties in the amount of \$5,390.00.
4. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction & 5th Avenue NW Resurfacing Project in the amount of \$329,320.58.
5. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction Phase 2 – Engineering Design & Bidding in the amount of \$13,481.11.
6. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction –Underwater Investigation Report/Geotechnical Investigation Scope – Phase 1 in the amount of \$1,776.00.
7. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the HMGP Demo in the amount of \$2,370.02.
8. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the HMGP Flood Buyouts in the amount of \$1,936.58.
9. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Flood Buyouts in the amount of \$128.95.

10. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the Inflatable Dam - EDA in the amount of \$264.40.
11. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Supplemental Dam Project in the amount of \$220.33.
12. Class C Liquor License for The Other Place II.
13. Class C Beer Permit for Casey's General Store.
14. Ownership Update for Casey's General Store.
15. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$2,184.50.

Moved By: Kangas

Items 1 – 3 and 5 - 15 on the Consent Agenda are hereby approved.

Yes: 5 No: 0 Absent: 2

4. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction & 5th Avenue NW Resurfacing Project in the amount of \$329,320.58.

The 5th Street NW Reconstruction & 5th Avenue NW Resurfacing Project is 15 days over schedule and Heartland Asphalt, Inc. will be assessed accordingly.

Moved By: Boorum

Item 4 on the Consent Agenda is hereby approved.

Yes: 5 No: 0 Absent: 2

F. REGULAR BUSINESS.

1. **Approving for Historic Preservation Commission to Use Hotel / Motel Tax to House Historic Salvage Material for Preservation Iowa.**

- would like the motion to be expanded so it doesn't limit the request to only rental of the old Miller's True Value building, for example, the money may be used for ads be purchased to run in the newspaper, etc.
- the request is more like a loan for upfront costs since the commission does not have any money budgeted for this purpose.
- Preservation Iowa actually owns the material and will actually end up paying the bill
- possible reimbursement of costs would be available after the sale of the salvaged items depending on the amount of proceeds.
- The monies should come from the General Fund and not Hotel / Motel Tax money since Hotel / Motel Taxes are to be used for travel and tourism expenses.
- Americorps shall be liable for any damages, injuries or expenses incurred.

Moved By: Olson

For Historic Preservation to use Hotel / Motel Tax account for rental of the old Miller True Value building to house historic salvage material for Preservation Iowa in the amount of \$6,000, which is normally spent on historic markers is hereby approved.

Moved By: Olson

To amend the motion to read as follows:

To defer the expenditure of \$6,000 for historic markers and to provide City of Waverly funding for upfront financial assistance to be reimbursed from salvage recovery proceeds is hereby approved.

Yes: 5 No: 0 Absent: 2

The original motion as amended is hereby approved.

Yes: 5 No: 0 Absent: 2

2. **Resolution 10-124, A Resolution Allowing Placement of Non-Advertising Nostalgic Signs Inside the City Limits through City of Waverly Municipal Code Section 100.26.E.4 "Memorial Plaques, Cornerstones, Historical Markers, and Similar Representations."**

- past service club plaques have been removed for various reasons
- the Exchange, Jaycees, Kiwanis, Lions, and Rotary Clubs are requesting permission to re-post their plaques in various areas within the community
- residential signs cannot be more than 10 feet high
- the service clubs will supply the logos and poles

Moved By: Lieb

Resolution 10-124, A Resolution Allowing Placement of Non-Advertising Nostalgic Signs Inside the City Limits through City of Waverly Municipal Code Section 100.26.E.4 "Memorial Plaques, Cornerstones, Historical Markers, and Similar Representations" is hereby approved.

Moved By: Vowels

To amend Resolution 10-124 by striking the 3rd "WHEREAS" paragraph in its entirety is hereby approved.

Yes: 5 No: 0 Absent: 2

Moved By: Vowels

To further amend Resolution 10-124 by striking the words "which include" and striking the numbered items 1, 2, and 3 in the 2nd "WHEREAS" paragraph and paragraph 3 is hereby approved.

Yes: 5 No: 0 Absent: 2

The original motion as amended was then voted on.

Yes: 5 No: 0 Absent: 2

3. **Resolution 10-125, A Resolution Approving a Professional Services Agreement for the Cedar River Parkway Improvements.**

- the study will also determine improvements needed to meet a "no impact" drainage and flooding environment for new bridge construction.
- \$150,000 local funding will come from Tax Increment Financing (TIF)
- flood mitigation money is still in tact with only the expense for the Southeast Flood Mitigation Study coming from it so far

Moved By: Kangas

Resolution 10-125, A Resolution Approving a Professional Service Agreement with Stanley Consultants in the amount of \$683,988 for the Cedar River Parkway Improvements is hereby approved.

Yes: 5 No: 0 Absent: 2

4. **Project Update on 2nd Avenue SW Reconstruction Project – 2011.**

- July survey determined that a greater portion of the project is already at the 40 foot width
- Staff recommendation would be to reconstruct the street at the existing 40 feet width with full-depth asphalt pavement and new curb and gutter
- the street is not 40 feet all the way to 16th, the very last block has a 35 foot width which would remain since the right-of-way is also more narrow at only 60 feet as opposed to 66 feet the rest of the way
- the idea of “Smart Growth” should be considered at the time of major planning such as the comprehensive plan
- the Federal Safe Routes to School Funding program would not make funds available for the sidewalk until October 1, 2011, which is too late for this project

5. **Resolution 10-126, A Resolution Approving an IDOT Federal-Aid Funding Agreement for the 2nd Avenue SW Reconstruction Project.**

Moved By: Vowels

Resolution 10-126, A Resolution Approving an IDOT Federal Aid Funding Agreement with for the 2nd Avenue SW Reconstruction Project for the maximum amount of \$250,000 is hereby approved.

Yes: 5 No: 0 Absent: 2

6. **Resolution 10-127, A Resolution Approving a Professional Services Agreement for the 2nd Avenue SW Reconstruction Project.**

- due to time constraints placed on staff to meet IDOT bid-time lines, outside services for engineering / design work on this project are required.

Moved By: Vowels

Resolution 10-127, A Resolution Approving a Professional Services Agreement with WHKS & Co. for the preparation of plan documents for the 2nd Avenue SW Reconstruction Project in the amount of \$42,000 is hereby approved.

Yes: 5 No: 0 Absent: 2

7. **Resolution 10-128, A Resolution Approving an IDOT Federal-Aid Funding Agreement for the Brookwood Park to Soccer Complex Connector Trail.**

- this will eventually connect by the dog park and up to Centennial Oaks

Moved By: Boorum

Resolution 10-128, A Resolution Approving an IDOT Federal-Aid Funding Agreement for the maximum amount of \$100,000 for the Brookwood Park to Soccer Complex Connector Trail is hereby approved.

Yes: 5 No: 0 Absent: 2

8. **Resolution 10-129, A Resolution Approving Contract Documents for the Waverly Dam Reconstruction Project.**

- delays are due to federal funding requirements
- contractor is ready to begin as soon as funds are released by the Iowa Department of Economic Development (IDED)
- September 14 is no longer accurate for a start date
- we are approximately 1 month behind schedule
- existing flood gates will remain operable
- the plan submitted to the DNR matches the existing plan for the river levels to be up to 14 inches above where it is currently which would be the same level as before when the flashboards were installed
- the new dam will allow lowering water level faster than ever before
- the DNR is ultimately the deciding agent on raising and lowering of water levels
- each side of the dam will operate independently of each other
- Stanley Consultants will meet with the boating club the next time they are in town

Moved By: Olson

Resolution 10-129, A Resolution Approving Contract Documents for Peterson Contractors for \$3,689,960.00 for the Waverly Dam Reconstruction Project is hereby approved **SUBJECT TO Approval of the Environmental and Release of Funds Processes by the Iowa Department of Economic Development (IDED).**

Yes: 5 No: 0 Absent: 2

9. **Resolution 10-130, A Resolution Approving an Agreement for Engineering Services for Waverly-Shell Rock Middle School Traffic Impact Study.**

- the joint City and Iowa DOT funded study will determine expected increases in peak hour traffic associated with the new middle school, evaluate intersection operations, and review crash history and safety concerns
- the need for geometric, traffic control and safety improvements will be identified and evaluated
- improvements needed to provide safe walking / bicycling routes to school for children residing northwest and northeast of the middle school site will also be evaluated
- communications between the school district and the City have led to the belief that the Willow Lawn area would take study priority, however, safe routes to all of those traveling to and from school are important

Moved By: Vowels

Resolution 10-130, A Resolution Approving an Agreement for Engineering Services with Snyder & Associates for the amount of \$30,492.00 for Waverly-Shell Rock Middle School Traffic Impact Study is hereby approved.

Yes: 5

No: 0

Absent: 2

10. **Resolution 10-131, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with Carney Law Office to Act as the Closing Agent for the City for the Non-Residential Flood Buyout Funded Under Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGP-DR-1763-042 01 / Project Number DR-1763-142-01.**

- once contract is signed the purchase offer can be discussed with Amvets and then moved forward
- it is anticipated that the property acquisition be completed by the end of the year
- dealing with the State approval process is taken into account when setting this deadline
- the asbestos testing and abatement process still need to happen
- for acquisition of site and building area of AMVETS property.

Moved By: Vowels

Resolution 10-131, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with Carney Law Office to Act as the Closing Agent for the City for the Non-Residential Flood Buyout Funded Under Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGP-DR-1763-042 01 / Project Number DR-1763-142-01 is hereby approved.

Yes: 5

No: 0

Absent: 2

11. **Resolution 10-132, A Resolution of the City Council of the City of Waverly, Iowa, Adopting the Procurement Policy for the City of Waverly Voluntary Acquisition of a Non-Residential Flood Damaged Property.**

Moved By: Boorum

Resolution 10-132, A Resolution of the City Council of the City of Waverly, Iowa, Adopting the Procurement Policy for the City of Waverly Voluntary Acquisition of a Non-Residential Flood Damaged Property is hereby approved.

Yes: 5

No: 0

Absent: 2

12. **Resolution 10-133, A Resolution of the City Council of the City of Waverly, Authorizing the Mayor to Sign a Contract with the Iowa Northland Regional Council of Governments (INRCOG) for the Administration of the Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGPDR-1763-0042-01/Project Number DR-1763-142-01.**

Moved By: Olson

Resolution 10-133, A Resolution of the City Council of the City of Waverly,

Authorizing the Mayor to Sign a Contract with the Iowa Northland Regional Council of Governments (INRCOG) for the Administration of the Iowa Homeland Security Emergency Management Division Grant Agreement Number HMGPDR-1763-0042-01/Project Number DR-1763-142-01 is hereby approved.

Yes: 5 No: 0 Absent: 2

13. **Resolution 10-134, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing Sharon Juon, Executive Director of the Iowa Northland Regional Council of Governments and the Mayor of Waverly, Iowa as the Authorized Representatives for all Matters Pertaining to the Purchase and Demolition of the Commercial Property HMGP Buyout.**

Moved By: Kangas

Resolution 10-134, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing Sharon Juon, Executive Director of the Iowa Northland Regional Council of Governments and the Mayor of Waverly, Iowa as the Authorized Representatives for all Matters Pertaining to the Purchase and Demolition of the Commercial Property HMGP Buyout is hereby approved.

Yes: 5 No: 0 Absent: 2

14. **Resolution 10-135, a Resolution of the City Council of the City of Waverly, Iowa, Adopting the Administrative Plan for the City of Waverly Voluntary Acquisition of Flood Damaged Non-Residential Property.**

Moved By: Boorum

Resolution 10-135, A Resolution of the City Council of the City of Waverly, Iowa, Adopting the Administrative Plan for the City of Waverly Voluntary Acquisition of Flood Damaged Non-Residential Property is hereby approved.

Yes: 5 No: 0 Absent: 2

15. **Resolution 10-136, A Resolution of the City Council of the City of Waverly, Iowa, Affirming and Giving Assurances that the City will continue to Participate in the National Flood Insurance Program (NFIP) as a Condition for Receiving Funds for a Voluntary Acquisition Program Funded under the Hazard Mitigation Grant Program.**

Moved By: Olson

Resolution 10-136, A Resolution of the City Council of the City of Waverly, Iowa, Affirming and Giving Assurances that the City will continue to Participate in the National Flood Insurance Program (NFIP) as a Condition for Receiving Funds for a Voluntary Acquisition Program Funded under the Hazard Mitigation Grant Program is hereby approved.

Yes: 5 No: 0 Absent: 2

16. **Resolution 10-137, A Resolution Approving the Minor Plat for Krumwiede (REROER LLC) Property in NW Waverly for New Parcel "S."**

Moved By: Lieb

Resolution 10-137, A Resolution Approving the Minor Plat for Krumwiede (REROER LLC) Property in NW Waverly for New Parcel "S" is hereby approved.

Yes: 5 No: 0 Absent: 2

17. **Resolution 10-138, A Resolution Approving the Minor Plat for the Francis Property for New Parcel “H.”**

- there will not be another driveway

Moved By: Boorum

Resolution 10-138, A Resolution Approving the Minor Plat for the Francis Property for New Parcel “H” within Hinds Third Addition Plat is hereby approved.

Yes: 5 No: 0 Absent: 2

18. **Resolution 10-139, A Resolution Awarding Bid for Storm Sewer Projects 2010.**

Moved By: Lieb

Resolution 10-139, A Resolution Awarding Bid from Skyline Construction of Decorah, Iowa for the amount of \$21,917.99 for the Storm Sewer Projects 2010 is hereby approved.

Yes: 5 No: 0 Absent: 2

G. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Board of Adjustment

- Streicher – use of accessory building

Golf Commission

- no additional comments

“The W” Advisory Committee

- no additional comments

Senior Citizens Group

- council liaison to possibly change

Hazard Mitigation/River Use Commission

- breaking into sub committees

Historic Preservation Commission

- Americorps will be here towards the end of September or 1st week of October

2. **Reports.**

Departmental Status Report

- this is just the end of the first month of the new year
- enterprise funds are down due to less water usage

“The W” Revenue Report

- memberships are down and revenues are up

3. **Communications.**

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

- currently there are 24 homes on the 2nd round of buyouts, however administrative process cannot begin until the 1st round of buyouts demos are complete
- anticipated start date of 2nd round buyouts may occur as soon as January / February
- there will be a letter going out to property owners to determine continued interest in participating in the buyout program

- concerns of water pooling and damage to properties which occurred during the 5th Avenue NW Resurfacing project.
- Chief of Police Richard Pursell and City Engineer Mike Cherry will check into whether stop sign and/or cross walk needs at the intersection of 12th Street NW and Wilson Avenue
- Chief of Police Richard Pursell and City Engineer Mike Cherry will check into whether we need a bicycle ordinance for the downtown area
- Barb McLaughlin has resigned from the Municipal Housing Commission and will need to be replaced.

I. **ADJOURNMENT.**

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 5

No: 0

Absent: 2

Council adjourned at 9:18 p.m.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk