

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on September 20, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Dick Lindell, Tim Kangas, Kathy Olson, Gary Boorum, Jim Vowels and Gene Lieb. Absent: Gary Grace.

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

Moved By: Lindell

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

Yes: 6

No: 0

Absent: 1

2. **Minutes.**

Moved By: Vowels

The September 13, 2010 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

B. VISITORS/PUBLIC COMMENTS.

Staff informed Duane Liddle that millings from 5th Street and 5th Avenue NW will be used for other City projects.

C. TABLED ITEMS.

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

Moved By: Boorum

To remove from the table.

Yes: 6

No: 0

Absent: 1

Administrator Crayne stated that there is a sidewalk ordinance but it has not been enforced in which property owners are required to make repairs to their existing sidewalks to keep them in a safe condition. There are property owners who keep their sidewalks in good repair and others who do not. Mr. Crayne reviewed the highlights of the sidewalk maintenance repair program to bring existing sidewalks to a safe standard. Special assessments are paid fully when property is sold. Mr. Crayne also stated that policies regarding sidewalk gaps can be laid out under the transportation section of the new Comprehensive Plan. The program presented is for the repair and maintenance of the existing sidewalk system. There will be additional labor cost involved. Administrator Crayne asked the Council who they would like on the Appeal Board. There will be a proposal to change permit fees starting in the spring of next year and letters will be sent to property owners this fall informing them of the sidewalk repair program. Council requested that they revisit the sidewalk snow removal policy in the future.

Moved By: Lieb

Resolution 10-112, A Resolution Establishing a Program for Maintenance and Repair of Existing Sidewalks is hereby approved.

Yes: 5

No: 1(Kangas)

Absent: 1

D. CONSENT AGENDA.

1. Pay Request from Snyder & Associates, Inc. for the 4th Street SW Traffic Study in the amount of \$960.00.
2. Class C Liquor License for El Senor Tequilla II.

Moved By: Vowels

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

Yes: 6

No: 0

Absent: 1

E. REGULAR BUSINESS.

1. **Resolution 10-140, A Resolution Approving a Professional Services Agreement with H. R. Green Company for Open Space and Master Plan Project.**

Leisure Services Director Ray informed Council that the agreement includes a kick off meeting, data collection and field investigation, vision statements, goals and objectives, public involvement and the master plan. Projects costs of \$25,000, \$19,000 will come from Park Dedication Fund, \$6,000 from Capital Improvement Fund. Park Dedication and Capital Improvement Funding are not generated from property taxes.

Nikki Jensen of HR Green Company stated that the plan is to give the City a strategy for implementing improvements over time. The public and focus groups will gather to discuss their wants and needs, compile that information into the plan and provide a cost analysis. Ms. Jensen also stated that she and staff will discuss how the City can manage the parks it has and look at the green space created by the home buyouts.

The Open Space Plan is an assessment of inventory at each park and green space and it will have concepts of what the City should be doing with said areas. Council liked that consultants bring new ideas from other communities. Mr. Ray sees the plan as a roadmap on helping the City with decisions regarding operations, expansion, trails and the river for the next ten years.

Ms. Jensen stated that there would be a color coded poster plan with all the parks, flood properties, what decisions were made, future expansion, and how connections could be made to existing and proposed improvements. The final report would describe the process, inventory and recommendations for parks and flood properties, and policy recommendations, timeframe and cost.

Ms. Jensen suggested that the draft Park and Open Space Plan could be presented to the Comprehensive Plan consultant for their review so there are no discrepancies.

At Strategic Planning the Mayor and Council determined a Park and Open Space Plan to be a high priority. There are members from the Hazard Mitigation River Use Commission on the Open Space Plan focus groups.

The Leisure Services Commission is reviewing the flood buyout property lease agreement proposal and it will be brought to Council on October 4th.

Don Barr, Duane Liddle voiced his concern with the unbudgeted \$25,000 and with hiring consultants for projects. Mayor Brunkhorst urged planners to reduce their fees for said project.

Moved By: Lindell

Resolution 10-140, A Resolution Approving a Professional Services Agreement for the not to exceed fee of \$25,000 with H. R. Green Company for Open Space and Master Plan Project is hereby approved.

Yes: 5 No: 1(Boorum) Absent: 1

2. **Resolution 10-141, A Resolution Approving an Agreement with Invision Architecture for a Waverly Band Shell Site Study.**

Leisure Services Director Ray informed the Council that the agreement was to look at three possible sites for a band shell. The Irving School site will not be available. Study Costs will come from the Band Shell account.

Keith Collins stated that this agreement is a site planning report to determine what kind of structure could be positioned onto each site and its limitations. Mr. Collins also stated that the Kohlmann Park site is favorable to the citizens. The Council had previously agreed that the Waverly Municipal Band seek proposals for a band shell site study. The study would provide what the needs are and type of facility to start fundraising. The Municipal Band favors Kohlmann Park because there is a playground and provides shade. In the past there were concerns with band concerts at Kohlmann Park because of narrow traffic lanes, parking, and children near the river. The Municipal Band wants a site that is popular, accessible, convenient and safe. Discussion followed on other sites and whether Leisure Services Commission and Staff can do a site assessment. Invision Architecture will review flood issues at Kohlmann Park. Mr. Collins believes that if Invision Architecture is considering two sites instead of three the cost could be reduced. The Bremer County Courthouse was not a good site because of traffic noise and the Old Recycling site is still not available and land reconstruction was costly. The Open Space Plan may provide other site possibilities for the band shell. There were more musicians and younger adults that came to the Kohlmann Park concerts because of the park setting.

Council deferred action and will bring back an alternative consultant proposal to review use of Kohlmann Park site and design parameters.

3. **First Reading of Ordinance 938, An Ordinance Amending Chapter 100 by Adding Section 100.28 Regarding Alternative Energy.**

Community Development and Zoning Official Kohout informed Council that the Planning and Zoning Commission spent two years developing this proposal. There was a public forum "Winds of Change" in January hosted by WLP's Diane Johnson. Three systems identified were wind, solar and geo-thermal. The point of the ordinance is to reduce energy consumption at high peak demands. Discussion followed on regulation of wind turbines, solar panels, ground water heat pumps, and ground water testing.

Diane Johnson stated that the Planning and Zoning Commission wanted to address the aesthetics of other energy sources for the community. Waverly Light and Power supports the Ordinance.

Moved By: Kangas

First Reading of Ordinance 938, An Ordinance Amending Chapter 100 by adding Section 100.28 Regarding Alternative Energy is hereby approved.

Yes: 6 No: 0 Absent: 1

4. **Resolution 10-142, A Resolution in Support of a local Comprehensive Planning Grant Program Application.**
 Community Development and Zoning Official Kohout stated the City updates their Comprehensive Plan every five years. The plan update may be funded by \$11,950 Capital Improvement funds, \$23,900 Iowa Smart Planning grant funds.
Moved By: Olson
 Resolution 10-142, A Resolution in Support of a local Comprehensive Planning Grant Program Application for Iowa Smart Planning grant for \$23,900 is hereby approved.
Yes: 6 No: 0 Absent: 1
5. **Resolution 10-143, A Resolution Recommending INRCOG to Complete the Comprehensive Plan Update 2010.**
Moved By: Vowels
 Resolution 10-143, A Resolution Recommending INRCOG to Complete the Comprehensive Plan Update 2010 for the amount of \$35,850 is hereby approved.

Moved By: Olson
 In the 3rd WHEREAS in the Resolution will be amended to read “the Committee selected INRCOG.”
Yes: 6 No: 0 Absent: 1

 The original motion as amended is hereby approved.
Yes: 6 No: 0 Absent: 1
6. **Resolution 10-144, A Resolution Approving an ICAAP Application for the Cedar River Parkway.**
 City Engineer Cherry reviewed the summary of calculations of the reduction of vehicle miles traveled, the reduction of vehicle hours traveled and the reduction in emissions of said application. The next step is to apply for Federal funding in December or January through the Highway Authorization Bill. The completion of the Parkway will provide a flood free transportation corridor from the east to the west of Waverly. Hopefully the City will meet the cutoff next year for bridge funding.
Moved By: Boorum
 Resolution 10-144, A Resolution Approving an Iowa Clean Air Attainment Program Application for \$2,000,000 for the Cedar River Parkway is hereby approved.
Yes: 6 No: 0 Absent: 1
7. **Resolution 10-145, A Resolution Prioritizing Sidewalk Construction.**
 The 10th Ave SW sidewalk from the railroad bridge to 4th Street SW will be a high priority in the next fiscal year’s budget.
Moved By: Boorum
 Resolution 10-145, A Resolution Prioritizing Sidewalk Construction is hereby approved.
Yes: 6 No: 0 Absent: 1
8. **Resolution 10-146, A Resolution Awarding Contract for Asbestos Abatement for Ten Flood Damaged Properties.**
Moved By: Vowels
 Resolution 10-146, A Resolution Awarding Contract to Abatement

Specialties LLC. for the amount of \$48,095.00 for Asbestos Abatement for ten Flood Damaged Properties is hereby approved.

Yes: 6 No: 0 Absent: 1

9. **Resolution 10-147, A Resolution Awarding Contract for the Asphalt Patching - 2010.**

The contract is for the filling and finishing repair of utility patches on City streets before winter.

Moved By: Boorum

Resolution 10-147, A Resolution Awarding Contract to Kluesner Construction of Epley, Iowa for the amount of \$11,086.85 for the Asphalt Patching - 2010 is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **Award Bid for Truck-Mounted Hydraulic Valve Turner.**

The new valve turner would have a pivoting arm setup mounted on the front of the truck for a safer more efficient operation.

Moved By: Lindell

The Bid from EH Wachs Company in Chicago, Illinois for \$20,820 for the Truck-Mounted Hydraulic Valve Turner is hereby approved.

Yes: 6 No: 0 Absent: 1

11. **Approval of Salvage Rights Agreement with Preservation Iowa.**

City Attorney Carney informed Council that the agreement provides that Preservation Iowa purchase liability insurance. Community Development & Zoning Official Kohout stated that the salvage will begin September 27th for two weeks. Kate Payne and Rod Scott indicated that they would be able to complete the salvage in two weeks.

Moved By: Kangas

The Salvage Rights Agreement with Preservation Iowa is hereby approved.

Yes: 6 No: 0 Absent: 1

12. **Approval of August Cash Disbursements.**

Building permit refunds end September, 2011. The majority of permit refunds are not flood related. Staff informed Duane Liddle that the City purchased new tires for the aerators at the golf course. Staff will find out where the old Civic Center table and chairs are.

Moved By: Boorum

The August Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Leisure Services Commission –the draft proposal of a flood buyout property lease agreement will come to Council on October 4th. The Commission is working on ordinance change for bike riding on Downtown sidewalks.

2. **Reports.**

3. **Communications.**

Streaming Update – Leisure Service Director Ray will promote streaming of Council meetings so people are aware of said streaming on the City website.

Letter from Martin Wanderscheid-there will be an ordinance change on permit fees for the Maintenance and Repair Sidewalk program and

sidewalks should conform to the City's Municipal Design Standards. There may be trucks on sidewalks for maintenance or for snow removal.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Police Chief Rich Pursell informed Council that Public Works will paint crosswalks at 12th Street NW and Wilson Ave.

Bremer County Fair thanked City staff for their help and citizens for the attendance at the Fair.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 6

No: 0

Absent: 1

Council adjourned at 9:21 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk