

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on December 6, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Jim Vowels, Tim Kangas, Kathy Olson, Richard Lindell, Gary Grace, and Gene Lieb. Absent: Gary Boorum

A. CALL TO ORDER.

1. **Pledge of Allegiance.**

Sea Cadets Matt and Alex Peschang led the Council in the Pledge of Allegiance.

2. **Prayer.**

Pastor Deborah Wise of Trinity United Methodist 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: 6

No: 0

Absent: 1

4. **Minutes.**

Moved By: Kangas

The November 15, 2010 and November 22, 2010 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Guest Councilperson.**

The Council welcomed Brian Maclearn as Guest Councilperson for December.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on a Proposed Sale of Farm Real Estate for Waverly Light and Power. Duane Liddle discussed the land previously purchased for Waverly Light and Power's Wind Turbines. Diane Johnson stated that the wind regime is better where the wind turbines are constructed. The Mayor closed the hearing and the following action will be considered.

Moved By: Lieb

Resolution 10-165, A Resolution Authorizing Sale of Farm Real Estate for Waverly Light and Power to Andy Demuth in the amount of \$414,992.50 is hereby approved.

Yes: 6

No: 0

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Arne Waldstein of Eisenach Village encouraged the Council to consider improvements to 20th Street NW in its upcoming budget including widening the bridge and railroad tracks and improve the road condition.

Mary Lou Kelly stated the Mayor and Council should consider increasing their wages, and voiced concern with Hospital and Airport spending.

Ron Lenth, Extension Coordinator for Bremer County ISU Extension informed the Council that ISU now offers community development services and is available to help the City with its needs.

Public Services Superintendent Sullivan stated that vandals have been opening water hydrants. The City is losing a lot of water and it has destroyed private property and a road. Mr. Sullivan asked citizens to call 911 if they witness anyone tampering with said hydrants.

Community Development and Zoning Specialist Ben Kohout encouraged Council and citizens to go to the City's website to fill out the Comprehensive Plan and Park and Open Space Surveys.

D. CONSENT AGENDA.

1. Class C Liquor License for East Bremer Diner, Inc.
2. Transfer of Class E Liquor License for Fareway Stores, Inc. to New Location.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions in the amount of \$1,898.88.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts in the amount of \$831.01.
5. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Inflatable Dam Reconstruction Project in the amount of \$670.74.
6. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Inflatable Dam Reconstruction Project in the amount of \$301.73.
7. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Amvets Buyout in the amount of \$415.67.
8. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Flood Buyout in the amount of \$1,208.96.
9. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for Comprehensive Plan Update in the amount of \$4,640.00.
10. Pay Request from Snyder & Associates for the 4th Street SW Traffic Study in the amount of \$2,880.00.
11. Pay Request from Snyder & Associates for the Waverly – Shell Rock Middle School Traffic Study in the amount of \$6,325.90.
12. Pay Request from Stanley Consultants, Inc. for the Cedar River Environmental Assessment in the amount of \$13,908.75.
13. Pay Request from Petersen Contractors, Inc. for the Waverly Dam Reconstruction in the amount of \$319,960.00.
14. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$3,495.20.
15. Pay Request from Invision Architecture for the Waverly Bank Shell Site Study of Kohlmann Park in the amount of \$1,500.00.
16. Pay Request from Baker Concrete & Excavating for the 10th Avenue SW Sidewalk Construction – 2010 in the amount of \$15,591.78.
17. Pay Request from Heartland Asphalt, Inc. for the 5th Street NW Reconstruction and the 5th Avenue NW Resurfacing in the amount of \$17,237.07.
18. Pay Request from Skyline Construction for the Storm Sewer Projects 2010 in the amount \$8,153.13.
19. Pay Request from Howard R. Green Company for the Waverly – Park and Open Space Master Plan in the amount of \$3,412.25.

Moved By: Olson

VV: Items 1 – 19 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

E. REGULAR BUSINESS.

1. **Resolution 10-166, A Resolution Approving Purchase of Real Estate by the City of Waverly from First National Bank of Waverly, Iowa, said Real Estate is Described in Acquisition Plats Labeled B-1 and B-2 for the 4th Street SW Reconstruction Project.**

The agreement with First National Bank includes purchase of real estate, permanent access easement across their property and assignment of the permanent easement for a private drive to Roling Properties, L. C.

Motion By: Vowels

Resolution 10-166, A Resolution Approving Purchase of Real Estate by the City of Waverly from First National Bank of Waverly, Iowa, said Real Estate is Described in Acquisition Plats Labeled B-1 and B-2 in the amount of \$495,250.00 for the 4th Street SW Reconstruction Project are hereby approved.

Yes: 6

No: 0

Absent: 1

Resolution 10-175, A Resolution Approving and Accepting a Permanent Access Easement from First National Bank of Waverly, Iowa to the City of Waverly as Described in Acquisition Plat C for the 4th Street Reconstruction Project.

Moved By: Vowels

Resolution 10-175, A Resolution Approving and Accepting a Permanent Access Easement from First National Bank of Waverly, Iowa to the City of Waverly as Described in Acquisition Plat C for the 4th Street Reconstruction Project is hereby approved.

Yes: 6

No: 0

Absent: 1

Resolution 10-176, A Resolution Approving Assignment of Permanent Easement for Private Drive from the City of Waverly to Roling Properties, L.C., for the 4th Street SW Reconstruction Project.

Moved By: Vowels

Resolution 10-176, A Resolution Approving Assignment of Permanent Easement for Private Drive from the City of Waverly to Roling Properties, L.C., for the 4th Street SW Reconstruction Project is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Resolution 10-167, A Resolution Approving an Agreement between the City of Waverly, Iowa and Shane Shears and Shanda Shears.**

Moved By: Vowels

Resolution 10-167, A Resolution Approving an Agreement between the City of Waverly, Iowa and Shane Shears and Shanda Shears for Voluntary Assessment Against Real Estate Located at 615 1st Street SW, Waverly, Iowa in the amount of \$1,511.17 for the repair of a water service line is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Approve Purchase of a Chassis for a New Ambulance in FY 10 – 11.**

City Administrator Crayne informed Council that an ambulance is purchased every 3 years. Jim Schutte of Waverly Health Center recommended that the City purchase one of the 2010 E450 Chassis with diesel engine for its longevity and increased gas economy. The City could acquire the chassis in FY10-11 budget and use remaining funds and budgeted funds in FY11-12 Capital Improvement and Local Sales Tax funding to complete the purchase. The City purchases the ambulance and the hospital provides all other ambulance operations and needs. The ambulance does have a mutual aid agreement with Shell Rock.

Moved By: Lindell

Purchase of a Chassis for a New Ambulance in FY '10 – '11 in the amount of \$34,687.00 to Life Line Ambulances of Sumner, Iowa is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Resolution 10-168, A Resolution 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 Residential Properties – HMGP Buyout.**

This action is to replace Ike Ackerman's signature with Bob Brunkhorst signature.

Moved By: Lieb

Resolution 10-168, A Resolution 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 Residential Properties – HMGP Buyout is hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Third and Final Reading of Ordinance 940, An Ordinance Amending Section 105.5.12, Riding Skate Board, Coaster, Roller Skates, Roller Blades, or Similar Device, of Waverly City Code.**

Police Chief Pursell stated that the changes made to the ordinance were pertaining to the sidewalks and no other changes were being proposed to the ordinance. City staff will post the new changes to the ordinance. City Attorney Carney suggested following wording “ No person shall ride use or operate a skate board, coasters, roller skates or similar device on any street, alley or public property with the exception of designated crosswalks, and controlled intersections.”

Moved By: Lindell

Third and Final Reading of Ordinance 940, An Ordinance Amending Section 105.5.12 of the Waverly City Code by striking the “sidewalk” in line 2 of paragraph 1 and by striking the words “and adjacent sidewalks as well as the streets, sidewalks” in line 5 of paragraph 1 and by adding the words “No person shall ride, use or operate a skate board, coaster, roller skates, roller blades, or similar device on any sidewalk on Bremer Avenue from First Street East to Fourth Street East” and by deleting Paragraph 2 is hereby approved.

Moved By: Olson

Change this Code Section to read the same as the changes made to the Bicycle ordinance is hereby approved. The motion was withdrawn.

Moved By: Lindell

No person shall ride or use a skateboard, coaster, roller skates, roller blades or similar devices on a street, alley or public property except at designated crosswalks while crossing the street in the area bounded by First Avenue North, First Avenue South, Fifth Street East and Sixth Street West and shall include the named streets, alleys and public property, within the described area. No person shall ride, use or operate a skate board, coaster, or roller skates, roller blades, or similar device on any sidewalk on Bremer Avenue from First Street East to Fourth Street East is hereby approved.

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

The original motion as amended is hereby approved.

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

6. **Resolution 10-169, A Resolution Finalizing the Airport Fuel Tank – Jet-A Fuel .**

Moved By: Olson

Resolution 10-169, A Resolution Finalizing the Airport Fuel Tank – Jet-A Fuel Project and Approving the Final Pay Request to Acterra Group of Marion, Iowa for the amount of \$2,736.45 is hereby approved.

Yes: 6 No: 0 Absent: 1

7. **Resolution 10-170, A Resolution Approving Contract between the City of Waverly’s Historic Preservation Commission and the Tallgrass Historians, L.C. for Historic Survey for Waverly’s Downtown Business District.**

Library Director Sarah Meyer Ryerson informed Council that the Historic Preservation Commission approved the only proposal from Tallgrass Historians, L. C. to conduct the historic survey of Waverly’s Downtown Business District and in error the mayor signed the contract to begin the project. The Council had previously approved the Memorandum of Agreement to hire a contractor to do said survey. FEMA will reimburse the City \$30,000 for said project. Volunteers are welcome to help with this process.

Moved By: Olson

Resolution 10-170, A Resolution Approving Contract between the City of Waverly Historic Preservation Commission and the Tallgrass Historians, L.C. to provide an intensive level historic and architectural survey and nomination to the National Register of Historic Places for Waverly’s downtown business district for an amount not to exceed \$30,000.00. This contract will be executed in order to accomplish the objectives of the memorandum of agreement among the Federal Emergency Management Agency, the

State Historical Society of Iowa, Iowa Homeland Security & Emergency Management Division, and the City of Waverly pursuant to 36 CFR section 800.6(c) regarding the demolition of historic properties in Waverly, Bremer County, Iowa is hereby approved.

Yes: 6

No: 0

Absent: 1

8. **Resolution 10-171, A Resolution Approving Contract between the City of Waverly Historic Preservation Commission and Svendsen Tyler, Inc. for Historic Survey for Waverly's Northwest Residential and Southeast Residential Neighborhoods.**

Staff informed Council that all documentation on historic homes in the buyout list have been done in the reconnaissance survey and will not delay the demolition. The consultant feels that there are too many gaps in the neighborhood in Southwest Waverly to be nominated to the National Registry at this time.

Moved By: Grace

Resolution 10-171, A Resolution Approving Contract between the City of Waverly's Historic Preservation Commission and Svendsen Tyler, Inc. to provide an intensive level historic and architectural surveys and nominations to the National Register of Historic Places for Waverly's Northwest residential neighborhood and Southeast residential neighborhood for an amount not to exceed \$62,765.00. This contract will be executed in order to accomplish the objectives of the memorandum of agreement among the Federal Emergency Management Agency, the State Historical Society of Iowa, Iowa Homeland Security & Emergency Management Division, and the City of Waverly pursuant to 36 CFR section 800.6(c) regarding the demolition of historic properties in Waverly, Bremer County, Iowa is hereby approved.

Yes: 6

No: 0

Absent: 1

9. **Resolution 10-172, A Resolution Approving the Extension of a Sidewalk Performance Guarantee for Copper Ridge 2nd and 3rd Additions.**

There will be a meeting to examine requirements for sidewalks in subdivisions on December 14th.

Moved By: Lieb

Resolution 10-172, A Resolution Approving the Extension of a Sidewalk Performance Guarantee for Copper Ridge 2nd and 3rd Additions for 2 years, until December 10, 2012 s hereby approved.

Yes: 6

No: 0

Absent: 1

10. **Award Bid for Two (2) 2011 ½ - Ton 4 X 4 Pickups.**

Public Services Superintendent reviewed the vehicle replacement program.

Moved By: Vowels

Bid for Two (2) 2011 ½ - Ton 4 X 4 Pickups to Jerry Roling Motors of Waverly, Iowa in the amount of \$20,490.20 and \$20,740.20 including trade-ins is hereby approved.

Yes: 6

No: 0

Absent: 1

11. **Resolution 10-173, A Resolution Approving Automatic Metering Infrastructure Request for Proposals.**

Finance Director Bachhuber informed Council that the City is included in an RFP with Waverly Light & Power for the water module automatic meter reading. The City is looking at costs related to automatic meter reading system or advance meter reading infrastructure. The bids are due back January 20, 2011 and the City is under no obligation to purchase an advanced meter reading infrastructure. Diane Johnson of WLP stated that if the RFP's are favorable the intent would be to replace a small amount of electric meters in the first year and then proceed replacing all meters. WLP would then add the communication equipment software to interface with the electrical meters. Water meters could use the same communication device.

Moved By: Kangas

Resolution 10-173, A Resolution Approving Automatic Metering Infrastructure Request for Proposals for Water Modules on Bid Form No. 2 to be sent out on December 15, 2010, with a bid opening on January 20, 2011 is hereby approved.

Yes: 6

No: 0

Absent: 1

- 12. **Resolution 10-174, A Resolution Authorizing Brookwood Park Riverbank Stabilization for Storm Sewer Projects 2010.**
Moved By: Vowels
Resolution 10-174, A Resolution Authorizing Skyline Construction of Decorah, Iowa to proceed with Brookwood Park Riverbank Stabilization for Storm Sewer Projects 2010, for an estimated cost of \$6,000.00 is hereby approved.
Yes: 6 No: 0 Absent: 1
- 13. **Second Reading of Ordinance 941, An Ordinance Adopting the "City Code of Waverly, Iowa."**
Moved By: Vowels
Second Reading of Ordinance 941, An Ordinance Adopting the "City Code of Waverly, Iowa" is hereby approved.
Yes: 6 No: 0 Absent: 1
- 14. **Approve November, 2010 Strategic Planning Document.**
Council reviewed their list of priorities.
Moved By: Kangas
The November, 2010 Strategic Planning Document is hereby approved.
Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

- 1. **Boards and Commissions.**
- 2. **Reports.**
Hank Bagelmann of the Planning and Zoning Commission reviewed the Comp Plan Update process that has taken place. He urged citizens to complete the Comp Plan Survey that is on the City's website for feedback to Comp Plan Task Force members.
- 3. **Communications.**

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Community Development & Zoning Specialist Kohout stated that the demolition contract for 42 homes is at the State and will be sent to FEMA who will send a notice to proceed to the City. The remaining 22 homes will follow the same process with one to follow in spring of 2011. Staff hopes that the process for the second round of CDBG Buyouts will be streamlined and move much quicker. INRCOG has sent letters to the 22 homeowners to notify them of a meeting in January.

There will be a public meeting on December 13th at 7:00 P. M. for the Park and Open Space Plan.

Discussion followed on the Candlelight walk and the newspaper article on the economic benefit to Waverly when Wartburg hosted National Cross Country Meet, football playoffs, basketball tournament and WSR hosted a youth basketball tournament.

The Cedar River Parkway meeting tomorrow from 4:30 – 6:30 P. M.

H. EXECUTIVE SESSION.

- 1. Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.
Moved By: Lindell
To enter into closed session.
Yes: 6 No: 0 Absent: 1
Moved By: Vowels
To reenter into open session.
Yes: 6 No: 0 Absent: 1

I. ADJOURNMENT.

Moved By: Vowels
That the City Council Meeting be adjourned.
Yes: 6 No: 0 Absent: 1
Council adjourned at 9:05 P. M.