

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 4, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gene Lieb, Gary Grace, Richard Lindell, Gary Boorum, and Tim Kangas. Absent: Jim Vowels

1. **Pledge of Allegiance.**

Mayor Bob Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Councilmember Boorum introduced a prayer for the 2011 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: Boorum

The March 21, 2011 and March 28, 2011 Council Meeting Minutes are hereby approved as amended by changing the word "would" to "could" in the last sentence in No. 6 under Regular Business in March 21, 2011 minutes.

Yes: 6

No: 0

Absent: 1

5. **Guest Councilperson.**

Council will welcome Randy Kraayenbrink as Guest Councilperson for April at the next meeting.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on a proposal to amend Solid Waste Collection Rates. City Administrator Crayne informed Duane Liddle that the Solid Waste Collection Rate increase is for overall operations of the Solid Waste Department. City Engineer Cherry informed Council that no property taxes were used for the Recycling Center/Yardwaste facility. Solid Waste user fees were used to construct the bulk of said facility. Mr. Cherry informed Council that the Solid Waste Department provides not only garbage collection but recycling and yardwaste and special collection services. The rate increase will generate \$25,000 in revenues. The transfer to the intercity loan account is \$90,235.00 for the Recycling/Yardwaste Project. The hearing was declared closed and the following action was taken.

Moved By: Lindell

Second Reading of Ordinance 944, An Ordinance Amending Solid Waste Collection Rates is hereby approved.

Yes: 6

No: 0

Absent: 1

This was the date, time and place for a Public Hearing on a proposal to amend Water Rates and Minimum Charges for Water Usage. City

Engineer Cherry informed Duane Liddle that the rate increase would generate approximately \$46,000 in revenues. The transfer for the recycling building to the intercity loan account will be approximately \$90,000. Finance Director Bachhuber stated that the rate increase would meet bond coverage requirements. The hearing was declared closed and the following action was taken.

Moved By: Olson

Second Reading of Ordinance 945, An Ordinance Amending Water Rates and Minimum Charges is hereby approved.

Yes: 6 No: 0 Absent: 1

3. This was the date, time and place for a Public Hearing on a proposal to Amend Sewer Rates, Charges and Minimum Rate. The rate increase will generate approximately \$70,000 in revenues. City Engineer Cherry stated that in any City the sewer cost is higher than water because of the wastewater treatment plant operations. The hearing was declared closed and the following action was taken.

Moved By: Kangas

Second Reading of Ordinance 946, An Ordinance Amending Sewer Rates, Charges and Minimum Rate is hereby approved.

Yes: 6 No: 0 Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Curt Hampton informed the Council that Curt's Cab Service is now operating out of Waverly. Anywhere in the City the cost is \$5 per person and a \$10 minimum. The round of trip cost to Cedar Falls is \$15 and Waterloo is \$20.

Council thanked the volunteers who helped cleanup the bike trail.

City Engineer Cherry informed Duane Liddle that the west water tower by Pizza Hut will be inspected later in summer and possible repairs in 2012.

D. CONSENT AGENDA.

1. Pay Request from AECOM for the Southeast Waverly Flood Protection Feasibility Study in the amount of \$6,298.81.
2. Pay Request from Snyder & Associates Engineers & Planner for the 4th Street SW Traffic Study in the amount of \$960.00.
3. Pay Request from Peterson Contractors, Inc. for the Waverly Dam Reconstruction in the amount of \$87,523.88.
4. Class C Liquor License for El Sol Mexican Restaurant, Inc.

Moved By: Boorum

Items 1 – 4 on the Consent Agenda are hereby approved.

Yes: 6 No: 0 Absent: 1

E. REGULAR BUSINESS.

1. Second Reading of Ordinance 943, An Ordinance Amending Section 103.7.07 of the Waverly Municipal City Code Regarding Sidewalks in Subdivisions.

City Engineer Cherry stated that there are three types of subdivisions. the first option is to record on the deed language that the lot owner could be directed by the City Council to install the sidewalk. In other subdivisions the developer could choose to continue with the bond requirement or require the deed language for sidewalk installation. No performance bonds were required for sidewalks in subdivisions built before 1998 and there are still vacant lots with no sidewalks in said subdivisions. There is language in the City Code that could mandate sidewalk installation in older subdivisions. The Council discussed adding the word "new" before subdivisions in the first paragraph. The second paragraph "existing" would be inserted before subdivisions. The third paragraph would address subdivisions before 1998 prior to the bond requirement and existing subdivisions that have bonds that have been filed and how they are brought back to Council and what is the timeframe for review. Councilmember Boorum will assist in language wording. City Administrator Crayne informed Duane Liddle that if the developer filed for bankruptcy the adjoining property owners would be assessed. City Engineer Cherry informed Council that Municipal Design Standards address sidewalk requirements.

Moved By: Lieb

Second Reading of Ordinance 943, An Ordinance Amending Section 103.7.07 of the Waverly Municipal City Code Regarding Sidewalks in Subdivisions is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Resolution 11-36, A Resolution of the City Council of the City of Waverly, Iowa, Approving an Agreement with the Iowa Northland Regional Council of Governments and the Iowa State University Extension Pertaining to the Sharing of Digital Data.**

Community Development & Zoning Kohout informed Council that Iowa State University is gathering data from communities that were impacted by the 2008 floods. They are researching how communities are rebuilding after the 2008 flood.

Moved By: Kangas

Resolution 11-36, A Resolution of the City Council of the City of Waverly, Iowa, Approving an Agreement with the Iowa Northland Regional Council of Governments and the Iowa State University Extension Pertaining to the Sharing of Digital Data is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Resolution 11-37, A Resolution Approving Contract, Bonds & Insurance for 2nd Avenue SW Reconstruction 2011.**

The project will begin in June and finish in August. The project cost increased because of a water main project totaling \$100,000. The City is extending the project to 10th Street SW. Council approved reconstructing the street at 40 feet increasing project cost by 12%.

Moved By: Lieb

Resolution 11-37, A Resolution Approving Contract, Bonds & Insurance for 2nd Avenue SW Reconstruction 2011 to Heartland Asphalt of Mason City, Iowa for the amount of \$604,532.28 is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Review Removal of “No Right Turn on Red” Signal at Various Signalized Intersections with West Bremer Avenue.**

City Engineer Cherry informed Council that during sidewalk construction on 15th Street the pedestrian crossing was moved to the west side of the intersection on Bremer Ave and the no right turn on red sign serves no purpose. The 6th Street and Bremer Ave traffic signal and signage will be removed this summer. At the 4th Street and Bremer Ave intersection buildings have been removed and opened up the lines of sight and there is no longer a need for the no right-turn on red signs. Chief Pursell agreed with removal of right-turn on red signs at 4th Street SW and Bremer Ave intersection but was concerned with right turns when the green arrow is visible. Mr. Cherry is checking to see if traffic poles and mast arms at 6th Street can be reused at 16th Street. The Council will discuss the 4-way stop sign at 2nd Ave and 6th St. SW intersection at a later date. Discussion followed on the traffic signal at 3rd Ave and 20th Street NW intersection.

5. **Resolution 11-38, A Resolution Approving Contract Documents for the 2011 Bituminous Seal Coat Program.**

Moved By: Lindell

Resolution 11-38, A Resolution Approving Contract Documents for the 2011 Bituminous Seal Coat Program to Steffes Construction of New Hampton, Iowa for the amount of \$111,316 is hereby approved.

Yes: 6

No: 0

Absent: 1

6. **Resolution 11-39, A Resolution Awarding Contract to Kelly Demolition of Mount Vernon, Iowa for the Demolition of 22 of the 69 HMGP Buyout Properties.**

Community Development and Zoning Specialist Kohout informed Council that the Kelly Demolition bid was for removal of the basement and hauling materials away. Mr. Kohout stated that the bidder presents his best bid. The asbestos removal on last house of the HMGP Buyouts was not removed so it will have to be hosed down while be demolished according to FEMA guidelines. Richard Lowe of Kelly Demolition also informed Council that they have estimated the work to be completed between 8 and 14 days. Staff will be discussing job monitor responsibilities at the preconstruction meeting on Wednesday.

Moved By: Boorum

Resolution 11-39, A Resolution Awarding Contract to Kelly Demolition of Mount Vernon, Iowa for the amount of \$224,227.50 for the Demolition of 22 of the 69 HMGP Buyout Properties is hereby approved.

Yes: 6

No: 0

Absent: 1

7. **Approve Pay Request No. 5 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition.**

This pay request is also for removal of flatwork remnants/structures left on the emergency flood buyout properties.

Moved By: Boorum

Pay Request No. 5 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition in the amount of \$60,702.40 is hereby approved.

Yes: 6

No: 0

Absent: 1

8. **Approve Pay Request No. 6 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition.**

Moved By: Lieb

Pay Request No. 6 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition in the amount of \$10,694.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

9. **Review 10th Avenue SW Sidewalk Construction 2011.**

City Engineer Cherry informed Council that the design challenge for said sidewalk was from the railroad to the pedestrian bridge on the north side of 10th Ave. SW because the roadway grading was never constructed to accommodate a trail. Also the golfers would prefer that the trail continue underneath the bridge. The City would have to look at a retaining wall system with sidewalk above with a chain link fence if the trail continued underneath the bridge. Snow removal would be piled up along the retaining wall. The cost for the retaining wall is \$40,000. The golfers are concerned if the City constructs the trail up and above along the cart path because of the proximity to the Tee Box. The City could install a fence along the trail to separate the trail from the golf course. East of Waverly Light and Power driveway a retaining wall system would also be needed for the trail. The retaining wall would be at the back side of the sidewalk and snow could blow onto the sidewalk. An alternate alignment would be to take the trail to the top of the hill but it is in close proximity to the tee boxes. The Golf Commission would prefer the trail to go underneath the bridge because of the pedestrian/cart conflict by the bridge. The cost for the retaining wall system on the west side is \$35,000. The current need is to get a pedestrian connection from the railroad tracks up to 4th St. SW along 10th Ave. SW. John Campbell voiced concern with snow removal along the proposed trail but urged the Council to get the sidewalk completed for the safety of kids going to the Middle and High School this fall. Public Services Superintendent Sullivan informed Council that there is quite a bit of snow that collects across three lanes on 10th Ave SW, but Public Services would work with Leisure Services staff to remove snow from sidewalks along 10th Ave. SW corridor. Staff will continue dialog with the Golf Commission about trail installation on the west side of the proposed project.

10. **Resolution 11-40, A Resolution Authorizing Mayor to Sign Award Bid for Asbestos Survey Work for HMGP Non-Residential Property Acquisition Program for the Amvets Property at 503 4th Street SE.**

Moved By: Olson

Resolution 11-40, A Resolution Authorizing Mayor to Sign Award Bid for Asbestos Survey Work for HMGP Non-Residential Property Acquisition Program for the Amvets Property at 503 4th Street SE to ATC Associates, Inc. of Waterloo, Iowa for the amount of \$1,710 is hereby approved.

Yes: 6 No: 0 Absent: 1

11. **Mayoral Appointments.**

Moved By: Grace

The Mayoral Appointments of Ryan Keller to the Planning and Zoning Commission, Bill Westendorf to the Civil Service Commission, Al Charlson to Board of Adjustment, Kate Payne Erica Lingren and Don Meyer to Historic Preservation Commission, Mardy Parry to Hazard Mitigation/River Use Commission are hereby approved.

Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
Leisure Services Commission – Bandshell going to the Planning & Zoning Commission, discussion of the Swimming Pool.
2. Reports.
3. Communications.
“The W” report – every month shows a revenue increase.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

The Council urged citizens to drive cautiously during the construction season. Discussion followed on a burning ban and scheduling of agenda items.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:55 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk