

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on April 18, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gene Lieb, Jim Vowels, Richard Lindell, Gary Boorum, Gary Grace and Tim Kangas. Absent: None

1. **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**

2. **Minutes.**

**Moved By: Boorum**

The April 4, 2011 Council Meeting Minutes are hereby approved.

**Yes: 7    No: 0    Absent: 0**

3. **Proclamations.**

a) Proclaiming the year 2011, as Waverly Health Center Auxiliary Year -Lori Everhardt represented the Auxiliary.

b) Proclaiming May, 2011 as Lyme Disease Awareness and Prevention Month.

c) Proclaiming April 29, 2011 as Arbor Day.

The above three proclamations are hereby approved.

**Yes: 7    No: 0    Absent: 0**

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

**B. VISITORS/PUBLIC COMMENTS.**

Public Services Superintendent Sullivan informed Council that the City collects glass on curbside recycling and at the Recycling Center. The City hauls all glass to City Carton in Waterloo.

City recycling and yardwaste operations will not be open on Friday, April 22<sup>nd</sup> but will be open on Saturday, April 23<sup>rd</sup>. Friday solid waste collection will be picked up on Thursday.

**C. CONSENT AGENDA.**

1. Pay Request from Snyder & Associates Engineers & Planner for the 2009 4<sup>th</sup> Street SW Reconstruction Project in the amount of \$3,058.30.
2. Pay Request from Stanley Consultants, Inc. for the Waverly Cedar River Parkway Environmental Assessment in the amount of \$103,211.75.
3. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction – Phase 4 Construction Administration & Resident Observation in the amount of \$33,351.94.
4. Class C Liquor License for Wooden Foot Saloon.

5. Class C Liquor License for Asian Garden.

**Moved By: Vowels**

Items 1 – 5 on the Consent Agenda are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**D. REGULAR BUSINESS.**

1. **Review of Waverly Light and Power Audit.**

Diane Johnson reviewed the findings and responses of Waverly Light & Power Audit. Ms. Johnson informed the Council that a contract requires that Waverly purchase its power from MEAN versus producing their energy locally. Waverly is partner in the MEAN group and each group partner decides on projects and takes on the length of the debt for the project. Expenses for purchase power are trending up. As a City owned enterprise, revenue surpluses can be applied to operations, City projects, etc. The Board decides on the amount of the transfers to the City based on WLP's audit. WLP has committed that it will not be raising rates for two years but will maintain current levels of reliability and responsiveness during that time. WLP has reduced capital spending over the next five years. The Automatic Meter Reading project is put on hold. Costs have been cut on retrofitting diesel engines for emissions, on the vehicle replacement program and pay increases for non-union staff. Ms. Johnson stated that in 2008 Wartburg College started three year donation of \$100,000 to the renewable energy fund for local projects. Ms. Johnson also informed Council that she will be attending a mediation session on the wind turbine that was damaged.

2. **Resolution 11-41, A Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$2,500,000.00 General Obligation Urban Renewal Bonds, Series 2011, of the City of Waverly, State of Iowa, and Providing for Publication of Notice Thereof.**

Finance Director Bachhuber stated that the bonds being sold are for the 4<sup>th</sup> Street SW project. The City will have a telephone meeting with Moodys Financial on May 5<sup>th</sup> to get a bond rating. Jon Burmeister from Public Financial Management will review the bond sale results with Council after said sale. Also \$400,000 for the project is coming from U-Step funding. Mr. Bachhuber also stated that the TIF revenue will pay for the bonds.

**Moved By: Olson**

Resolution 11-41, A Resolution Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$2,500,000.00 General Obligation Urban Renewal Bonds, Series 2011, of the City of Waverly, State of Iowa, and Providing for Publication of Notice Thereof is hereby approved and sets May 2, 2011 at 7:00 P. M. in the Council Chambers at City Hall as a date, time and place for a public hearing.

**Yes: 7**

**No: 0**

**Absent:0**

3. **Resolution 11-44, A Resolution Proposing the Vacation of City Right-of-Way, the South One-Half of 4<sup>th</sup> Avenue NW Located North of Kohlmann Park and Setting a Public Hearing Date.**

**Moved By: Lindell**

Resolution 11-44, A Resolution Proposing the Vacation of City Right-of-Way, the South One-Half of 4<sup>th</sup> Avenue NW Located North of Kohlmann Park is hereby approved and sets May 16, 2011 at 7:00 P. M. in the Council Chambers in City Hall as the date, time and place for a public hearing on said proposal.

**Yes: 6                                      No: 0                                      Abstain: 1**

4. **Third and Final Reading of Ordinance 943, An Ordinance Amending Section 103.7.07 of the Waverly Municipal City Code Regarding Sidewalks in Subdivisions.**

Staff informed Duane Liddle that sidewalks are to be a minimum of four feet wide as stated in the Municipal Design Standards.

**Moved By: Boorum**

Third and Final 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: 7                                      No: 0                                      Absent: 0**

5. **Third and Final Reading of Ordinance 944, An Ordinance Amending Solid Waste Disposal Rates for FY 2010 – 2012.**

Duane Liddle voiced concern with the rate increase and the transfer to the Public Works facility.

**Moved By: Lieb**

Third and Final Reading of Ordinance 944, an Ordinance Amending Solid Waste Disposal Rates for FY 2010 – 2012 is hereby approved.

**Yes: 7                                      No: 0                                      Absent: 0**

6. **Third and Final Reading of Ordinance 945, An Ordinance Amending Water Rates, Charges and Minimum Rate for FY 2011 – 2012.**

Duane Liddle voiced concern with the rate increase. City Engineer Cherry stated that the City's rates are higher than some other communities because the City has done substantial infrastructure expansion projects over the last 10 – 12 years. Statewide averages for water rates are going up 6% annually. The City's rates are averaging 2 ½ % increase annually. The City has received better bond rates because of the stability of the revenue stream. Cities have used enterprise funds to offset costs and operations.

**Moved By: Kangas**

Third and Final Reading of Ordinance 945, An Ordinance Amending Water Rates, Charges and Minimum Rate for FY 2011 – 2012 is hereby approved.

**Yes: 7                                      No: 0                                      Absent: 0**

7. **Third and Final Reading of Ordinance 946, An Ordinance Amending Sewer Rates, Charges and Minimum Rate for FY 2010 – 2012.**

**Moved By: Lindell**

Third and Final Reading of Ordinance 946, An Ordinance Amending Sewer Rates, Charges and Minimum Rate for FY 2010 – 2012 is hereby approved.

**Yes: 7                                  No: 0                                  Absent: 0**

8. **Resolution 11-42, A Resolution Approving Engineering Services Supplemental Agreement No. 4 for the Waverly Dam Reconstruction Project.**

City Engineer Cherry informed Council the scope of services had not been determined in the original contract. This agreement includes working with regulatory agencies and to finalize an operating plan. The EDA has reviewed and approves of the City moving forward with the agreement. City Engineer Cherry informed Duane Liddle that Peterson Contractors have cleaned up some of the debris just below the dam and will continue to clean up the rest in Phase 2.

**Moved By: Vowels**

Resolution 11-42, A Resolution Approving Engineering Services Supplemental Agreement No. 4 Between the City of Waverly and Stanley Consultants for the Waverly Dam Reconstruction Project to Stanley Consultants for a fee not to exceed \$33,408.00 for Phase 5 – Commissioning and Plan of Operation, Task 15, in accordance with the original agreement dated January 20, 2009 is hereby approved.

**Yes: 7                                  No: 0                                  Absent: 0**

9. **Resolution 11-43, A Resolution Approving Removal of “No Right Turn on Red” Signage.**

Discussion followed on moving traffic onto Bremer Ave from side streets because there is no break in the traffic. Designated crossings by schools get a four-way red. No right turn on red signs will be removed within the next two weeks, but directional signage will be added on the cross-arm by Walgreens.

**Moved By: Boorom**

Resolution 11-43, A Resolution Approving Removal of “No Right Turn on Red” Signage at All Locations at the 4<sup>th</sup> Street & West Bremer Avenue Intersection and the Removal of “No Right Turn on Red” Signage at the 15<sup>th</sup> Street SW and West Bremer Avenue Intersection is hereby approved.

**Yes: 5                                  No: 2(Lindell, Kangas)                                  Absent: 0**

10. **Set Public Hearing Date for Realign Access Road & Parking Lot Reconstruction at the Waverly Municipal Airport.**

**Moved By: Olson**

May 2, 2011 at 7:00 p.m. in the Council Chambers at City Hall is the date, time and place set for a public hearing for Realign Access Road & Parking Lot Reconstruction at the Waverly Municipal Airport is hereby approved.

**Yes: 7                                  No: 0                                  Absent: 0**

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

**Moved By: Vowels**

Pay Request No. 7 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition in the amount of \$16,196.00 is hereby approved.

**Yes: 7    No: 0    Absent: 0**

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

**Moved By: Olson**

Pay Request No. 8 from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 Property Demolition in the amount of \$37,314.50 is hereby approved.

**Yes: 7    No: 0    Absent: 0**

13. **Approve Pay Request from Waverly Light and Power for Electric Meter Removal in 42 HMGP Demolition Properties.**

**Moved By: Kangas**

Approve Pay Request from Waverly Light and Power for Electric Meter Removal in 42 HMGP 2008 Flood Demolition Properties in the amount of \$6,280.26 is hereby approved.

**Yes: 7    No: 0    Absent: 0**

14. **Resolution 11-45, A Resolution Awarding Project for the Dry Run Creek Crossing Gates.**

City Engineer Cherry informed the Council that the crossing gates have to be installed at the intersection instead of right by the Dry Run Creek. City Staff will be working with adjoining property owners regarding scheduling of when gates will be lowered. The gates are being installed with donated funds from Lincoln Savings Bank.

**Moved By: Grace**

Resolution 11-45, A Resolution Awarding Project for the Dry Run Creek Crossing Gates to D & N Fence Co. of Cedar Rapids, Iowa in the amount of \$25,000.00 is hereby approved.

**Yes: 7    No: 0    Absent: 0**

15. **Approval of March Cash Disbursements.**

**Moved By: Lindell**

The March Cash Disbursements are hereby approved.

**Yes: 7    No: 0    Absent: 0**

**E. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

Waverly Public Library Board of Trustees Minutes-will be having special meetings to discuss the Long Range Plan.

Historic Preservation Commission Minutes-Saturday May 14<sup>th</sup> – discussion of Downtown Business Tax Credits at the Library.

Bremer-Waverly Law Enforcement Board Minutes-exploration of two sites for an evidence building.

2. **Reports.**

3. **Communications.**

**F. CITY COUNCIL COMMENTS ON POLICY ISSUES.**

City Attorney Carney informed Council that the City has to file the proposed vacation resolution, proof of the publication, and the authorization resolution of the vacation. All three have to be recorded.

Discussion followed on reconstruction of Iowa Court with the construction of 2<sup>nd</sup> Avenue SW nearby. The length of 2<sup>nd</sup> Avenue SW project was reduced but the Council approved a wider 40 foot pavement on 2<sup>nd</sup> Ave. Additionally the City budgeted funds to reconstruct Pine Street, 5<sup>th</sup> Ave NW frontage road up by the north Industrial Park, repair work in Centennial Oaks, and 29<sup>th</sup> Avenue.

Discussion followed on paperless agenda packets.

**G. 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: Boorum**

To enter into closed session.

**Yes: 7**

**No: 0**

**Absent: 0**

**Moved By: Boorum**

To reenter into open session.

**Yes: 7**

**No: 0**

**Absent: 0**

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent: 0**

**Council adjourned at 9:05 P. M.**