

Regular Meeting Minutes  
May 16, 2011 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on May 2, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorom, Kathy Olson, Gene Lieb, Gary Grace, Richard Lindell, Jim Vowels, 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: Boorom**

The May 2, 2011 Council Meeting Minutes are hereby approved.

**Yes: 7    No: 0    Absent: 0**

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on a proposal to vacate the City Right-of-Way, the South One-Half of 4<sup>th</sup> Avenue NW Located North of Kohlmann Park.

City Administrator received three written comments from Dean Mitchell, Mike Kukral and John Campbell.

- Dr. Richard Moeller spoke to represent the Waverly Municipal Band and the Band Shell Committee. Dr. Moeller commented current location is Kohlmann Park for performances and they would like to continue there. Audiences have increased in numbers each year. The proposed structure will be open on all four sides and will be about 50 feet across in the front, 35 feet across in the back and the depth will be about 30 feet, the height of the front is unclear but could be around 15 – 20 feet high in the front and then would taper down toward the back to allow for drainage. Cost estimate would be very generously \$150,000.
- Sherry Wagner presented a petition with nearly 500 signatures, which opposed the construction of a band shell in Kohlmann Park. Mrs. Wagner continued to review points which were made in the petition. **1)** flooding; **2)** traffic and parking congestion and pedestrian concerns; **3)** disruption emergency services; **4)** Blocking the view of the Cedar River; **5)** aesthetics; **6)** covering more land in a flood-prone neighborhood with impervious material; **7)** devaluation of adjacent private property; **8)** lack of study to find alternative locations.
- Mark Mueller, member of Municipal Band commented: **1)** flood-proof structure can be built; **2)** Traffic counts have been done at multiple locations; **3)** ambulances have not had issues; **4)** structure will be open on all four sides; **5)** open look was the goal; **6)** small area of impervious material would not impact flooding greatly; **7)** should be open to and enjoyed by all; **8)** this site is best option.
- John Campbell commented he is not against the band shell but is opposed to the location due to parking and flooding concerns.
- Keith Collins commented Kohlmann Park site is popular. Children can play nearby, restrooms are nearby. Better sound and permanent location is goal.
- City Administrator Richard Crayne commented on the impact the vacation would have on the street.
- Duane Liddle commented on original plat and design standards of a street
- Fred Wagner commented on traffic counts and parking issues.
- Pete Lampe commented vacating a street is not a proper way of meeting a setback ordinance.

- Janet Platter commented on the costs of building a temporary structure.
- Mary Meyer commented on flooding concerns and park size.
- Mark Mueller commented on funding options.

The public hearing was declared closed and further discussion by the council proceeded.

- Ward 3 Councilman Richard Lindell commented on citizen remarks and structure size.
- At Large Councilwoman Kathy Olson commented on weather, traffic, emergency vehicle access, mobile band shell, development agreement and street maintenance.
- At Large Councilman Gary Boorum commented this should have been taken to Board of Adjustment for a variance.
- Planning and Zoning Chair Hank Bagelman stated the proper process was followed by the Planning and Zoning Committee.
- 5<sup>th</sup> Ward Councilman Tim Kangas commented on other options for this location, ordinance changes and other process requirements.
- Boorum moved to vote on proposed resolution as is.
- Mayor Bob Brunkhorst commented on a resolution amendment.
- Olson commented on safety.
- 1<sup>st</sup> Ward Councilman Gene Lieb commented on the utilization of Memorial Park
- 2<sup>nd</sup> Ward Councilman Gary Grace stated location is good, does not agree with process.
- Board of Adjustment Chair Pete Lampe commented ordinance changes would allow for setback requirement changes.
- Lieb commented proposed resolution should be voted on as is.
- Brunkhorst stated the next step would be to develop a site plan with issues addressed.

The following action was taken.

**Moved By: Lindell**

Resolution 11-52, A Resolution Authorizing 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.

**Yes: 2 (Olson, Lindell) No: 4 (Boorum, Grace, Kangas, Lieb)**

**Abstain: 1 (Vowels) Absent: 0**

2. This was the time, date and place for a public hearing on plans, specifications, form of contract and estimated cost for the 2011 10<sup>th</sup> Avenue SW Sidewalk Construction.

There were no written comments. There were no public comments.

The public hearing was declared closed and further discussion by the council proceeded.

Lieb had concerns for safety issues for pedestrians crossing north and south on 10<sup>th</sup> Avenue due to not having a crossing light signal directing traffic.

There will be a crossing light crossing east and west on 4<sup>th</sup> Street. Traffic already has to stop on 10<sup>th</sup> Avenue as a default. A definite crosswalk will be painted on 10<sup>th</sup> Avenue. At the time of Cedar River Parkway being complete there will be cross traffic and a need for a crossing light signal.

The following action was taken.

**Moved By: Lindell**

Resolution 11-53, A Resolution approving the plans, specifications, form of contract and estimated cost for the 2011 10<sup>th</sup> Avenue SW Sidewalk Construction is hereby approved.

**Yes: 6**

**No: 1 (Lieb)**

**Absent: 0**



**E. REGULAR BUSINESS.**

1. **Resolution 11-56, A Resolution Approving the Preliminary Official Statement for the \$2,455,000 General Obligation Urban Renewal Bonds, Series 2011.**

Moody's rating for the City of Waverly is aA2 which is a very strong rating for our size of city. Cedar Falls is rated aA1. We have not utilized any emergency levies.

**Moved By: Grace**

Resolution 11-56, A Resolution Approving the Preliminary Official Statement for the \$2,455,000 General Obligation Bonds, Series 2011 is hereby approved.

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

2. **Resolution 11-57, A Resolution Directing Sale of \$2,455,000 General Obligation Urban Renewal Bonds, Series 2011.**

Jon Burmeister of PFM explained that having 10 competitive bids is impressive and contributed to receiving a 2.06 interest rate. These are Urban Renewal Bonds not G.O. Bonds which means these bonds will be both federal and state tax exempt and garner a lower rate.

**Moved By: Boorum**

Resolution 11-57, A Resolution Directing Sale of \$2,455,000 General Obligation Bonds, Series 2011 is hereby approved.

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

3. **Set Public Hearing Date for the 20<sup>th</sup> Street SW Turn Lane & Trail Construction.**

**Moved By: Olson**

June 6, 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 the 20<sup>th</sup> Street SW Turn Lane & Trail Construction is hereby approved.

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

4. **Resolution 11-58, A Resolution Awarding Contract for Realign Access Road & Parking Lot Reconstruction at the Waverly Municipal Airport.**

Funding does not have any bearing on runway extension in the future.

**Moved By: Kangas**

Resolution 11-58, A Resolution Awarding Contract to Wicks Construction of Decorah, Iowa for the amount of \$252,894.50 for Realign Access Road & Parking Lot Reconstruction at the Waverly Municipal Airport is hereby approved.

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

5. **Award Bids for Packer Body and Cab and Chassis for a Refuse Truck.**

This is a commercial truck and it will replace a 2005 with approximately 9,000 hours and 100,000 miles.

**Moved By: Grace**

The Bid from Elliott Equipment of Davenport, Iowa for the amount of \$69,270 less trade-in of \$50,500 for the Packer Body for a net total of \$18,770 for a Refuse Truck is hereby approved.

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

One bid for the 2012 International had to be thrown out due to incomplete information. Delivery which will be after July 1 and in the Budget FY of '11 – '12.

**Moved By: Lieb**

The Bid from Elliott Equipment of Davenport, Iowa for the amount of \$87,710 for the Cab & Chassis for the Refuse Truck is hereby approved.

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

6. **Award Bid for Electric Scissors Lift.**  
 Government Buildings Superintendent Brad Biermann commented the scissors lift can be used for many different jobs and in many different departments. This piece of equipment will last over 10 years or so and is 26 feet to the platform.  
**Moved By: Boorum**  
 The bid from United Rentals of Waterloo, IA for the amount of \$14,049 for the Electric Scissors Lift is hereby approved.  
**Yes: 7                                      No: 0                                      Absent: 0**
7. **Approval of April Cash Disbursements.**  
**Moved By: Lindell**  
 The April Cash Disbursements are hereby approved.  
**Yes: 7                                      No: 0                                      Absent: 0**

**F. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**  
 Airport Commission Minutes  
 Bremer-Waverly Law Enforcement Board Minutes
2. **Reports.**
3. **Communications.**  
 Senior Citizens Group Calendar

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

- City of Waverly should not be impacted by FEMA issues like Parkersburg was.
- Bike rodeo hosted by Waverly Police Investigator Troy Schneider on Sat., May 14, and caution both bicyclers and motorists to watch out for each other.
- A lot of construction going on in town, please use caution.
- As of today 8 of the 22 properties have been demolished in this round of demolitions.
- FAA funding is not contingent on the extension of the airport runway, however, funding could be contingent on complying with FAA safety requirements by FAA's goal year of 2015.
- The sidewalk monitor has begun to inspect the SW quadrant of the city for needed sidewalk repair.

**H. ADJOURNMENT.**

**Moved By: Boorum**  
 That the City Council Meeting be adjourned.  
**Yes: 7                                      No: 0                                      Absent: 0**  
**Council adjourned at 9:41 P. M.**

\_\_\_\_\_  
 Bob Brunkhorst, Mayor

Attest:

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 Carla Guyer, Deputy City Clerk