

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 6, 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, Jim Vowels, and Tim Kangas. Absent: None

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: 7

No: 0

Absent: 0

4. **Minutes.**

Suggested Motion.

Moved By: Lindell

The May 16, 2011 and May 23, 2011 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Don Meyer as Guest Councilperson for June.

6. **Employee Highlights.**

Gary Heinick will be introduced at the next Council Meeting.

B. PUBLIC HEARINGS.

1. This was the time, date and place for a public hearing on plans, specifications, form of contract and estimated cost for the 20th Street SW Turn Lane & Trail Construction. City Engineer Cherry informed Duane Liddle that at this time the roundabout on 20th Street is not a project and there is no funding for said project. There will be an 8 foot trail along Redeemer Church and a 10 foot trail between the 4-way intersection and the Middle School. It was determined for safe pedestrian crossing at the 20th Street intersection to eliminate the right hand ramp and to have all traffic stop at said intersection with dedicated right hand turn lanes. A section of the ramp will remain to assist in construction of a future roundabout. Mr. Cherry informed Duane Liddle that the 20th Street trail is part of a network that will be connected to the east, north and to 10th Avenue. An alternative pedestrian box culvert under 20th Street would be very costly and would not facilitate long term needs of the community. Construction costs have increased by \$100,000 because the IDOT is requiring that a shoulder be constructed on the west side. Finance Director Bachhuber informed Council that bonds that are going to be sold for Phase 2 of this project will be paid with TIF revenues. The hearing was declared closed and the following action was taken.

Moved By: Olson

Resolution 11-61, A Resolution approving the plans, specifications, form of contract and estimated cost for the 20th Street SW Turn Lane & Trail Construction is hereby approved.

Yes: 7

No: 0

Absent: 0

C. VISITORS/PUBLIC COMMENTS.

City Engineer Cherry informed Duane Liddle that Iowa Court cannot be bundled with the 2nd Ave SW Reconstruction project because it is a Federal-Aid opportunity project. Discussion followed on truckers coming into Waverly.

Leisure Services Director Ray informed Council that the Community Gardens Opening was last Saturday and volunteers are welcome on Tuesday night from 6:00 – 8:00 P. M. and Saturdays from 9:00 – 11:00 A. M. The City received a \$7,300 grant for the Community Gardens project.

June 13th from 6:30 to 8:00 P. M. at City Hall there will be a meeting with a consultant to talk about new innovations on outdoor pools and the public is invited.

Mr. Ray also informed Council that staff is developing no-mow areas in park system along the river. There will still be access to the river.

John Campbell voiced concerns with glass found on some flood properties that were demolished.

Administrator Crayne reviewed sidewalk maintenance and repair program. Letters will be going to property owners in Zone 1. The City will be addressing sidewalks across alleys, ramps out to the curb and sidewalk areas where City trees have raised the sidewalk. The letter going to property owners does provide choices of doing repair themselves, or partnering with the City through a voluntary special assessment agreement, or through an involuntary special assessment procedure to repair sidewalks. Property owners have until September 1st to complete the sidewalk repair.

Mr. Crayne also informed Duane Liddle that the City will be adjusting sidewalks across alleys to accommodate drainage.

D. CONSENT AGENDA.

1. Pay Request from Snyder & Associates Engineers & Planner for the 16th Street SW Traffic Signal and 20th Street SW Trail in the amount of \$37,560.00.
2. Pay Request from McClure Engineering for the Waverly Municipal Airport Access Road Realignment & Parking Lot Reconstruction in the amount of \$6,356.00.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions in the amount of \$4,684.38.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Flood Buyout in the amount of \$247.23.
5. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts in the amount of \$3,371.66.
6. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Amvets Buyout in the amount of \$212.97.
7. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for Comprehensive Plan Update in the amount of \$3,765.00.
8. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Dam Project in the amount of \$412.17.
9. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Dam Project in the amount of \$304.08.
10. Pay Request from H R Green for the Waverly Park and Open Space Master Plan in the amount of \$10,489.46.
11. Pay Request from Stanley Consultants for the Waverly Dam Reconstruction in the amount of \$15,338.75.
12. Pay Request from Stanley Consultants for the Cedar River Parkway Environmental Assessment in the amount of \$42,513.48.
13. Pay Request from Peterson Contractors, Inc. for the Waverly Dam Reconstruction in the amount of \$234,908.26.

14. Pay Request from ATC Associates, Inc. for the AMVETS Asbestos Survey in the amount of \$1,710.00.
15. Pay Request from Baker Concrete & Excavating for the Housing Buyout Demolitions in the amount of \$19,706.00.
16. Pay Request from Baker Concrete & Excavating for the Housing Buyout Demolitions in the amount of \$10,757.50.

City Engineer Cherry informed Council that Environmental Assessment for the Cedar River Parkway has to be reviewed by the DOT and Federal authorities and then go through the formal public hearing review. Staff will bring a progress report to Council at the July Study Session.

Moved By: Lindell

Items 1 –16 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Resolution 11-62, a Resolution Declaring the Official Intent of the City of Waverly to Reimburse Expenditures to be Incurred with Respect to Certain Projects or Programs or from Certain Funds with the Proceeds of Debt.**

City Attorney Carney informed Duane Liddle that a portion of Augusta Lane is scheduled to be reconstructed and are included with these other projects. Mr. Carney stated that there are geological issues and other complications on August Lane that make it impossible to collect on the construction bond and the developer went bankrupt.

Moved By: Grace

Resolution 11-62, a Resolution Declaring the Official Intent of the City of Waverly to Reimburse Expenditures to be Incurred with Respect to Certain Projects or Programs or from Certain Funds with the Proceeds of Debt is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 11-63, A Resolution Awarding Contract for 10th Avenue SW Sidewalk Construction 2011.**

The trail on 10th Avenue will be 8 foot wide and the southwest 6 foot portion connects to the frontage road.

Moved By: Olson

Resolution 11-63, A Resolution Awarding Contract to Baker Concrete & Excavating for the amount of \$142,967.00 for 10th Avenue SW Sidewalk Construction 2011 is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 11-64, A Resolution Awarding Contract for the 16th Street SW & W. Bremer Avenue Traffic Signal.**

Moved By: Boorum

Resolution 11-64, A Resolution Awarding Contract to KWS, Inc. for \$56,800.00 for the 16th Street SW & W. Bremer Avenue Traffic Signal is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 11-65, A Resolution Awarding the Citywide Concrete Sidewalk and Curb & Gutter Repairs – 2011.**

The Council discussed delaying installation of sidewalk on the east side of 6th Street NW from Bremer Ave to 5th Avenue NW. If the flood buyout properties adjoin park areas sidewalks would not have to be installed. City Engineer Cherry stated that staff will do monthly work orders and the first work order will address sidewalks from the first 42 flood buyout homes that were demolished. The second or third work order may include some sidewalk repair in southwest Waverly that are being installed by the City through special assessments. The Council discussed an opportunity in integrating the Park and Open Space Plan with a trail plan before sidewalks are repaired. Mr. Cherry

informed Council that the bid documents are not site specific and include all sidewalk and curb and gutter repair Citywide. Staff would issue work orders for the minimum amount of \$5,000. Staff emphasized the need for Council to approve the award to move forward with the sidewalk work but will review flood buyout sidewalks before the next meeting. Mr. Crayne stated that the City would follow current standards regarding pedestrian ramps. Community Development and Zoning Specialist Kohout informed John Campbell that walkways are allowed on public right of way adjacent to FEMA buyout lots.

Moved By: Grace

Resolution 11-65, A Resolution Awarding the Citywide Concrete Sidewalk and Curb & Gutter Repairs – 2011 project to Baker Concrete & Excavating for \$88,351.00 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Resolution 11-66, A Resolution Awarding the Citywide Asphalt Patching Spring 2011.**

Moved By: Boorum

Resolution 11-66, A Resolution Awarding the Citywide Asphalt Patching Spring 2011 to Kluesner Construction for \$17,192.75 is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Resolution 11-67, A Resolution Awarding the Library and City Hall Concrete Parking Lot Repairs - 2011.**

The project includes patching areas that need to be repaired.

Moved By: Grace

Resolution 11-67, A Resolution Awarding the Library and City Hall Concrete Parking Lot Repairs – 2011 to Baker Concrete & Excavating for \$32,600.00 is hereby approved.

Yes: 7

No: 0

Absent: 0

7. **Resolution 11-68, A Resolution Awarding the 29th Avenue SE Roadbed Repairs.**

City Engineer Cherry stated that 29th Avenue will be sealcoated for the full mile. Bremer County did participate in repair costs but the City is paying for the sealcoating. The project included deepening the ditches to keep water from getting under the road section.

Moved By: Lindell

Resolution 11-68, A Resolution Awarding the 29th Avenue SE Roadbed Repairs to Baker Concrete & Excavating for the amount of \$34,825.00 is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Resolution 11-69, A Resolution Finalizing the Dry Run Creek Crossing Gates Project and Approving the Final Pay Request.**

The Crossing Gates were built according to IDOT specifications. Public Services Superintendent informed Council that end of the road markers with reflectors were ordered for each side of each gate. Each gate has a padlock and they will be locked in the open position with a chain and a hook to put them in the closed position.

Moved By: Vowels

Resolution 11-69, A Resolution Finalizing the Dry Run Creek Crossing Gates Project and Approving the Final Pay Request for the amount of \$25,000.00 to D&N Fence Co. Inc. is hereby approved.

Yes: 7

No: 0

Absent: 0

9. **Resolution 11-70, A Resolution Proposing the Vacation and Relocation of a 15 foot wide Public Trail Easement on the Corrective Final Plat for Eisenach Village.**

Community Development and Zoning Specialist Kohout informed Council that the public trail easement was moved 45 feet north from the railroad right-of-way to the south side of the detention basin pond.

Moved By: Kangas

Resolution 11-70, A Resolution Proposing the Vacation and Relocation of a 15 foot wide Public Trail Easement on the Corrective Final Plat for Eisenach Village and to set a public hearing date of June 20, 2011 at 7:00 P. M. in the Council Chambers at City Hall on said proposal is hereby approved.

Yes: 7 No: 0 Absent: 0

10. **Approve Change Order No. 1 for the 4th Street SW Corridor Improvements.**

The Change Order is for replacement of three traffic signal detector loops and increasing the concrete thickness of business driveways due to significant truck traffic.

Moved By: Lindell

Approve Change Order No. 1 for the increased amount of \$6,501.00 to K. Cunningham Construction Co. Inc. for the 4th Street SW Corridor Improvements is hereby approved.

Yes: 7 No: 0 Absent: 0

11. **Pay Request No. 2 for the 4th Street SW Corridor Improvements.**

John Campbell voiced concerns with traffic cones that are missing along the corridor.

Moved By: Grace

Pay Request No. 2 for the amount of \$297,676.52 to K. Cunningham Construction Co. Inc. for the 4th Street SW Corridor Improvements is hereby approved.

Yes: 7 No: 0 Absent: 0

12. **Award Bid for Cab & Chassis for Tandem Axle Dump Truck.**

Public Services Superintendent Sullivan informed Council that the trade-in truck was inadvertently left off the request for bids. It will be traded-in with the equipment purchase or sold out right. There will be companion specifications sent out to outfit the truck with a box and snow equipment at a future date.

Moved By: Boorum

The bid from Don's Truck Sales of Fairbank, Iowa for the amount of \$83,325.00 for Cab & Chassis for Tandem Axle Dump Truck is hereby approved.

Yes: 7 No: 0 Absent: 0

13. **Resolution 11-71, A Resolution Accepting Maintenance Repairs for Stone Haven Plat V-Phase 1.**

Moved By: Olson

Resolution 11-71, A Resolution Accepting Maintenance Repairs to broken concrete street panels and sealing of random cracks as part of the Stone Haven Plat V-Phase 1 and release the Developer B. N. K. D. Inc. , from any future public improvement maintenance responsibilities is hereby approved.

Yes: 7 No: 0 Absent: 0

14. **Update for the Waverly Dam Reconstruction Project.**

City Engineer Cherry informed Council that the east bay gate system and automatic control system are fully operational. Contractors are starting to disassemble the causeway/cofferdam. Completion of the west side cofferdam will allow for the elevating of the upstream pool to normal summertime levels enhancing opportunities for boating and recreation. Hydro-electric generation will be available upon completion of the west side cofferdam. This week contractors will be working on the coffer dam and looking for leaks. The contract completion date is October 31st. The subsurface bedrock conditions were even worse than those in Waterloo. The condition of the rock is resulting in about \$160,000 in quantity overrun on anchor drilling, grout and installation. Some other areas are coming out better than expected today and the net result is about \$50,000 over bid on construction. The funding amounts from EDA and CDBG were the maximum amounts provided from each agency so anything above that amount will have to be funded by the City. Usually at the end of construction projects the City does a final adjustment of quantities to match up to the final payment to the contractor. Waverly Light and Power will benefit from the restoration of hydro-electric generation to lessen power purchase needs.

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
Airport Commission-City Attorney Carney stated the attendance by four Council members at an Airport Commission meeting open to public was not a violation of open meetings law.
2. Reports.
"the W" Report' – "The W" Board will be coming to Council the end of July.
Heritage Days Committee will be to Council the end of June.
3. Communications.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

There were no comments.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:39 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk