

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 20, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorum, Kathy Olson, Gene Lieb, Richard Lindell, Jim Vowels, and Tim Kangas. Absent: Gary Grace

1. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Kangas

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 6 No: 0 Absent: 1

2. **Minutes.**

Moved By: Lieb

The June 6, 2011 Council Meeting Minutes are hereby approved.

Yes: 6 No: 0 Absent: 1

3. **Proclamation.**

Moved By: Lindell

A proclamation proclaiming July, 2011 as Parks & Recreation Month is hereby approved.

Yes: 6 No: 0 Absent: 1

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on a Resolution Proposing the Vacation and Relocation of a 15 Foot Wide Public Trail Easement on the Correction Final Plat for Eisenach Village. Mr. Wayne Mc Farland informed Duane Liddle that there were no changes to the Final Plat. After the pond was constructed Bartel's officials thought the trail would be better along the pond rather than along the railroad right of way. The hearing was declared closed and the following action was taken.

Moved By: Boorum

Resolution 11-72, A Resolution Authorizing the Vacation and Relocation of a 15 Foot Wide Public Trail Easement on the Correction Final Plat for Eisenach Village is hereby approved.

Yes: 6 No: 0 Absent: 1

C. VISITORS/PUBLIC COMMENTS.

D. CONSENT AGENDA.

1. **Cigarette Permits for:**

Wal-Mart

Casey's

Hy-Vee

Kwik Star (East & West)

Fareway

Liquor & Tobacco Outlet

Walgreens

2. Class C Beer Permit for Walgreens.

3. Class C Liquor License for the Waverly Towne Tavern, L.L.C., d/b/a The Fainting Goat.

4. Class B Beer Permit for Waverly Heritage Days.

5. Pay Request from McClure Engineering Company for the Waverly Municipal Airport Access Road Realignment & Parking Lot Reconstruction in the amount of \$2,680.00.

6. Pay Request from McClure Engineering for the Waverly Airport FAA coordination on land acquisition and runway extension in the amount \$2,398.00.

7. Pay Request from AECOM for the Southeast Waverly Flood Protection Feasibility Study in the amount of \$3,182.28.

8. Pay Request from Heartland Asphalt, Inc. for the 2nd Avenue SW Reconstruction Project in the amount of \$47,216.32.

Moved By: Vowels

Item 1 – 8 on the Consent Agenda is hereby approved.

Yes: 6

No: 0

Absent: 1

E. REGULAR BUSINESS.

1. **Request for Support from the Waverly Archery Club.**

Due to an upcoming archery tournament with up to 400 entrants, the Waverly Archery Inc. President Finley Manifold requested the City's permission to let vehicles, park on 18th Avenue SE for their Iowa Trail Shoot on August 21st. Mr. Manifold has the Soccer Association's permission to let Shoot participants, park in their parking lot. Police Chief Pursell will review conditions on 18th Avenue SE. Mayor Brunkhorst and Councilmember Gene Lieb will meet with Archery Club members on said request.

2. **Resolution 11-73, A Resolution Approving the City/Company Agreement for Graening –Knights II, L. C. on Lots, 6, 7, and 8 of the Waverly Industrial Plaza.**

Jared Graening from GMT Corporation informed Council that GMT Corporation plans on adding 32 jobs at the new 40,000 square feet facility. Economic Development Director Matthias stated that all qualifications have been met for State of Iowa economic assistance for a Rail Spur. Incentives provided for the project are the rail spur, the sale of the three lots for \$1 and a declining tax rebatement over 5 years.

Moved By: Boorum

Resolution 11-73, A Resolution Approving the City/Company Agreement for Graening –Knights II, L. C. on Lots, 6, 7, and 8 of the Waverly Industrial Plaza is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Resolution 11-74, A Resolution Proposing the Sale of a Parcel of Lots 6, 7, and 8 in the Waverly Industrial Plaza to Graening-Knights II, L. C. and Setting the Public Hearing Date on said proposal.**

Moved By: Lindell

Resolution 11-74, A Resolution Proposing the Sale of a Parcel of Lots 6, 7, and 8 in the Waverly Industrial Plaza to Graening-Knights II, L. C. is hereby approved and sets June 27, 2011 at 7:00 P. M. in the Council Chambers at City Hall as the date for a Public Hearing Date on said proposal.

Yes: 6

No: 0

Absent: 1

4. **Resolution 11-75, A Resolution Amending Resolution 10-80, a City/Company Agreement for CrawDaddy Outdoors (Darrin Siefken).**

Economic Development Director Matthias informed Council that the amendment to the City/Company agreement was due to the creation of the downtown façade and upstairs dwelling improvement program. Mr. Siefken was the first business to make façade improvements when the program was originally discussed and now requests façade assistance under the established program.

Moved By: Vowels

Resolution 11-75, A Resolution Amending Resolution 10-80, a City/Company Agreement for CrawDaddy Outdoors (Darrin Siefken) under the Small Business Façade and Improvement Program giving a declining

tax rebate of 100% (year 1), 80% (year 2), 60% (year 3), 40% (year 4) and 20% (year 5) is hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Introduction of Sidewalk Program Coordinator Gary Heinick and Overview of Sidewalk Repair Inspection Program.**

The Council welcomed Gary Heinick the new Sidewalk Program Coordinator. Community Development and Zoning Specialist Kohout reviewed the boundaries of the sidewalk repair program's Zone one. Mr. Heinick, has been inventorying all sidewalks that do not meet ADA and City standards and has used a "spray paint dot" marking system. The white dot on a sidewalk means that the repair is the property owner's responsibility, green dot means it is the City's responsibility, and the pink dots note the pedestrian ramps and where they have to be constructed. Currently Mr. Heinick is sending letters to homeowners whose sidewalks need repair outlining options of either making the repairs themselves, or let the City repair their sidewalks and assess them for the costs. Baker Concrete was awarded the contract for the City sidewalk repair and will repair sidewalks for homeowners that want to be special assessed. Mr. Kohout stated City repairs and construction of pedestrian ramps will cost approximately \$160,000. The estimated cost to the City for repair of existing alley sidewalks will be \$39,900. The cost would double if the City would install sidewalks in alleys that have no sidewalks. Mr. Heinick will go back and calculate green panels and the cost for repair. City Administrator Crayne stated that there are a substantial number of green panels because of older trees with lots of roots heaving up sidewalks. The costs will be comparable in the first three phases of the program. Property owners that hire a contractor are required to obtain a permit and can pick up sidewalk or pedestrian ramp specifications at City Hall. A contractor hired by a property owner needs approval before reconstructing sidewalks that are the City's responsibility. Mr. Cherry informed Council the contractor hired by a property owner is required to do restoration along sidewalk and pedestrian ramps. The City is encouraging property owners to hire their own contractors to repair their sidewalks because all the work and restoration can be completed at one time without waiting for the City to complete its portion. Mr. Heinick has received resident calls from other areas of Waverly wanting to participate in the program. Mr. Heinick agreed with other area property owners that if they repaired their sidewalks now it would be less cost. The City can assess costs for driveway reconstruction following sidewalk repair. Mr. Cherry also informed Council that sidewalk costs per block range from \$50,000 to \$60,000. City Administrator Crayne informed Duane Liddle that there was \$75,000 funding available for sidewalk repair of flood buyout homes. Gary Heinick also introduced his intern Aaron Forest to Council.

6. **Resolution 11-76, A Resolution Approving an Interlocal Agreement Between the City of Waverly, IA and County of Bremer, IA 2011 Byrne Justice Assistance Grant (JAG) Program Award.**

Police Chief Pursell informed Council that JAG allocates funding to the State to help local municipalities with criminal justice activities. The City was awarded \$12,699. There will be a radio frequency narrow-banding project in the 2012-2013 budget and this funding will offset some of those costs for replacement of 9 portable radios and air cards.

Moved By: Kangas

Resolution 11-76, A Resolution Approving an Interlocal Agreement Between the City of Waverly, IA and County of Bremer, IA 2011 Byrne Justice Assistance Grant (JAG) Program Award is hereby approved.

Yes: 6 No: 0 Absent: 1

7. **Resolution 11-77, A Resolution Awarding Contract for the 20th Street SW Turn Lane and Trail Construction Project.**

City Engineer Cherry informed Council that the project will probably not be done before school starts.

Moved By: Olson

Resolution 11-77, A Resolution Awarding Contract to Vieth Construction for the amount of \$199,305.50 for the 20th Street SW Turn Lane and Trail Construction Project is hereby approved.

Yes: 6 No: 0 Absent: 1

8. **Approve Professional Services Agreement for the Centennial Oaks Phase 3A Improvement Project.**

City Engineer Cherry informed Duane Liddle that the City is intentionally not hiring engineering and geotechnical firms that may have participated in the project previously. City Attorney Carney stated the contractor said he built streets according to the standards given by the developer and engineer and their compacting material met the contract requirements. The engineer stated that he designed the streets as directed by the developer. The development company went broke. It was discussed with the City Council if the City should engage in a lawsuit to pursue the bond or other matters and it was determined not to proceed with legal action. The contractor did complete the project but contended that the settlement was a geological issue. The street was put in 6 to 7 years ago and needs maintenance.

Moved By: Vowels

The Professional Services Agreement with WHKS & Co. of Mason City for the estimated fee of \$17,500.00 for Centennial Oaks Phase 3A Improvement Project is hereby approved.

Yes: 6 No: 0 Absent: 1

9. **First Reading of Ordinance 947, An Ordinance Adding or Removing Stop Sign Signal at Intersection in the City of Waverly.**

City Engineer Cherry informed Council that an all way stop will be added at 4th Ave. SW and 16th St. SW intersection and 5th Ave. NW and 20th St. NW. A stop sign will be added on Knight Ave. and 20th St. NW and 6th St. SW and NW at the Bremer Ave. Intersection. Stop signs will be removed at 2nd Ave SW at 6th St. SW intersection and 16th St. SW at the Bremer Ave. intersection. Mr. Cherry reviewed the diagram of 4th Ave and 16th St. SW intersection by the new Middle School. Council informed Duane Liddle that the signal at 6th Street and Bremer Ave removal was approved by Council. The Council will be discussing 4th St. and 5th Ave SW intersection at its next meeting. Council also discussed traffic on 2nd Ave. SW.

Moved By: Lieb

First Reading of Ordinance 947, An Ordinance Adding or Removing Stop Sign Signal at Intersection in the City of Waverly is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **First Reading of Ordinance No. 948 An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions.**
The ordinance allows parking on one side in Eisenach Village.
Moved By: Lindell
First Reading of Ordinance No. 948 An Ordinance Amending Section 105.4.10 of the Waverly Municipal City Code Regarding Additional Parking Restrictions is hereby approved.
Yes: 6 No: 0 Absent: 1
11. **Approve Pay Request No. 11 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 \$21,337.00 is hereby approved.
Yes: 6 No: 0 Absent: 1
12. **Approve Final Pay Request from Northern Escrow, Inc. FBO Baker Concrete for the HMGP 42 of the 69 HMGP Buyout Properties with Baker Concrete and Excavating.**
Moved By: Olson
Approve Final Pay Request from Northern Escrow, Inc. FBO Baker Concrete for the amount of \$36,762.00 for the HMGP 42 of the 69 HMGP Buyout Properties with Baker Concrete and Excavating is hereby approved.
Yes: 6 No: 0 Absent: 1
13. **Resolution 11-82, A Resolution Authorizing the Mayor to Sign Contract Awarding Asbestos Abatement Work for the HMGP Non-Residential Property Acquisition Program.**
Moved By: Vowels
Resolution 11-82, A Resolution Authorizing the Mayor to Sign Contract Awarding Asbestos Abatement Work to Advanced Environmental for \$23,250 for the HMGP Non-Residential Property Acquisition Program is hereby approved.
Yes: 6 No: 0 Absent: 1
14. **Resolution 11-78, A Resolution Approving Contract Documents for the Realign Airport Access Road and Parking Lot 2011 Project.**
Moved By: Olson
Resolution 11-78, A Resolution Approving Contract Documents from Wicks Construction for \$252,894.50 for the Realign Airport Access Road and Parking Lot 2011 Project is hereby approved.
Yes: 6 No: 0 Absent: 1
15. **Resolution 11-79, A Resolution Approving Contract Documents for the 16th Street SW & W. Bremer Ave Traffic Signal.**
City Engineer Cherry expects the signal to be installed before school starts.
Moved By: Vowels
Resolution 11-79, A Resolution Approving Contract Documents from KWS, Inc. for \$56,800.00 for the 16th Street SW & W. Bremer Ave Traffic Signal is hereby approved.
Yes: 6 No: 0 Absent: 1

16. **Resolution 11-80, A Resolution Approving Contract Documents for the 10th Avenue SW Sidewalk Construction 2011.**
Moved By: Lindell
 Resolution 11-80, A Resolution Approving Contract Documents from Baker Concrete and Excavating for \$142,967.00 for the 10th Avenue SW Sidewalk Construction 2011 is hereby approved.
Yes: 6 No: 0 Absent: 1
17. **Resolution 11-81, A Resolution Releasing Maintenance Guarantee for the Wal-Mart Subdivision.**
 City Engineer Cherry informed Duane Liddle that the fire hydrant and telephone junction box on 29th Ave. by Wal-Mart was accepted by the City.
Moved By: Lindell
 Resolution 11-81, A Resolution Releasing Wal-Mart Subdivision's public improvements 4-year Irrevocable Letter of Credit No. L5LS-576959 for Maintenance Guarantee for the Wal-Mart Subdivision is hereby approved.
Yes: 6 No: 0 Absent: 1
18. **Approval of the Partial List of 2010 – 2011 Yearly Transfers.**
 Finance Director Bachhuber informed Council that the listing is approved at budget time and some things have changed. Anytime the City transfers between funds it has to be approved by Council. A final list of transfers will come to Council in July. Discussion followed on transfers to the Wartburg Waverly Wellness Center account.
Moved By: Lieb
 The Partial List of 2010 – 2011 Yearly Transfers are hereby approved.
Yes: 6 No: 0 Absent: 1
19. **Review of Bids and Approval of Equipment Purchase for the Cemetery Division.**
 Cemetery Supervisor Mehmen informed Council that this purchase is for an "0 Turn" mower. The Council congratulated Mr. Mehmen on the excellent condition of the cemetery.
Moved By: Lieb
 The Equipment Purchase of a John Deere Z930A 60" Zero Turn Mower for the Cemetery Division with the trade in of a 2000 John Deere outfront mower for \$5,310.00 plus the suspension seat for \$250.00 for a total of \$5,560. Including trade-in from Waverly Implement is hereby approved.
Yes: 6 No: 0 Absent: 1
20. **Approve Purchase of Three Waverly Police Department Patrol Cars and One Patrol Vehicle.**
 Police Chief Pursell informed Council that instead of using Public Works Vehicles in emergency conditions the 4-wheel drive Tahoe will be used during bad winter conditions. Funds are budgeted every year for police vehicles and vehicles are purchased on a three year cycle.
Moved By: Kangas
 The purchase of three Waverly Police Department Patrol Cars and one Patrol Vehicle for \$97,707.00 is hereby approved.
Yes: 6 No: 0 Absent: 1
21. **Approve Purchase of an All Wheel Motor Grader for the Streets Division.**
 Public Services Superintendent informed Council that the Streets Department is trying to reduce its fleet. To compensate for the reduction the City just recently purchased a truck with a tandem axle and wing to make up for the second motor grader that is being traded in.

Moved By: Boorum

The purchase of an all wheel Motor Grader from Murphy Tractor of Waterloo, Iowa in the amount of \$236,500 with a five year extended Powertrain & Hydraulic Warranty for an additional \$4,885 minus trade-ins of a 1990 Road Grader and a 2000 Road Grader totaling \$85,000 for a net delivered amount of \$156,385 is hereby approved.

Yes: 6 No: 0 Absent: 1

22. **Approval of May Cash Disbursements.**

Moved By: Lindell

The May Cash Disbursements are hereby approved.

Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Senior Citizens Group, Inc. Minutes- group will be rescheduling to visit the Junior High.

Economic Development Commission Minutes- Debbie Durham visit. Cable/Telecommunications Commission - City Administrator Crayne informed Council that the Commission met with Waverly Light and Power and Chamber on updating the Community website. The Commission also looked at vendors for updating the website. All website members met with vendors. Mr. Crayne is waiting for information from the vendor and will update the Council after said information is received.

2. **Reports.**

3. **Communications.**

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Kurby Vowels voiced concerns that motorists are not stopping at the stop signs by the new Middle School.

Leisure Services Director Ray stated that staff is working with out of state agencies to get their properties mowed. Mr. Ray reviewed actions that could be taken against ash borer disease.

Discussion followed on the Concerts in Kohlmann Park. If the weather is bad they are held inside Rada Auditorium at the High School.

City Attorney Carney informed Council that the City has closed on 15 of the 21 second round buyouts. All homes but one are being demolished on the southwest corner of 4th Street SE and 7th Ave. SE in the Crestwood Park area. Community Development and Zoning Specialist Kohout informed Council that the City has drafted a news release on the process of moving second round buyout homes.

H. ADJOURNMENT.

Moved By: Lindell

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 9:08 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk