

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on October 24, 2011, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Bob Brunkhorst presided. Council members present: Gene Lieb, Richard Lindell, Gary Boorum and Tim Kangas. Absent: Kathy Olson, Gary Grace. Ward 4 Vacant.

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: 4 No: 0 Absent: 2 4th Ward Vacant

2. **Minutes.**

Moved By: Boorum

The October 3, 2011 Council Meeting Minutes are hereby approved. Due to not having a quorum there are October 17, 2011 Council discussion notes included.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing on Adopting the Comprehensive Land Use Plan for the City of Waverly. Brian Schoon, of Iowa Northland Regional Council of Governments, stated that the Comprehensive Plan mirrors Smart Planning Principles which provide good guidance to cities through planning. The City could amend the Comprehensive Plan the plan at any time. The new plan includes future roads across the Cedar River, industrial and commercial expansion near the airport, and future residential development near Cedar Bend. The Comprehensive Plan posters will be updated and presented to the Planning & Zoning Commission for their review. The hearing was declared closed and the following action was taken.

Moved By: Kangas

Resolution 11-127, A Resolution Adopting the Comprehensive Land Use Plan for the City of Waverly is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

C. VISITORS/PUBLIC COMMENTS.

Mary Lou Kelly voiced concerns with a roundabout at 20th Street and three-lane facilities on 4th Street SW and Bremer Ave.

Staff informed Duane Liddle the square shouldered curve on 218 South is being removed and replaced this week.

D. CONSENT AGENDA.

1. Pay Request from McClure Engineering for the Waverly Municipal Airport Access Road Realignment & Parking Lot Reconstruction in the amount of \$3,627.00.
2. Pay Request from McClure Engineering for the Waverly Municipal Airport Planning, Engineering-On Call Consulting Services in the amount of \$165.75.
3. Pay Request from Snyder & Associates for the 2011 4th Street SW Reconstruction Project in the amount of 29,262.72.
4. Pay Request from WHKS & Co. for the 12th Street NW Resurfacing – 2012 in the amount of \$6,295.46.
5. Pay Request from WHKS & Co. for the Trail Extension from Brookwood Park to Soccer Complex in the amount of \$6,635.06.
6. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway 2010 Project in the amount of \$7,454.75.

7. Class C Liquor License for Blake's.
Moved By: Boorum
Items 1 – 7 on the Consent Agenda is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant

E. REGULAR BUSINESS.

1. **First Reading of Ordinance 954, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-4 (Multiple Family-Transitional District) of Said City and Set Public Hearing Date for Property in SW Waverly on the South Side of 10th Avenue SW for John Dettmer.**

Moved By: Lindell

First Reading of Ordinance 954, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) to R-4 (Multiple Family-Transitional District) of Said City for Property in SW Waverly on the South Side of 10th Avenue SW for John Dettmer is hereby approved and sets November 7, 2011 at 7:00 P.M. in the Council Chambers as the date, time and place for said hearing.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

2. **Resolution 11-117, A Resolution Authorizing the Iowa Northland Regional Council of Governments (INRCOG) to Proceed with a Housing Rehabilitation Grant Application for the City of Waverly.**

Moved By: Kangas

Resolution 11-117, A Resolution Authorizing the Iowa Northland Regional Council of Governments (INRCOG) to Proceed with a Housing Rehabilitation Grant Application for the City of Waverly is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

3. **Resolution 11-125, A Resolution Approving a Release of Promissory Note and Mortgage and also a Subordination Agreement.**

Moved By: Boorum

Resolution 11-125, A Resolution Approving a Subordination Agreement and a Release of Promissory Note and Mortgage for Kevin M. Rohne and Kodi J. Rohne for the Promissory Note dated July 2, 2007 and Mortgage dated October 10, 2007 is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

4. **Resolution 11-128, A Resolution of the City Council of the City of Waverly, Iowa, Awarding the Contract for the Demolition of One (1) Commercial Flood-Damaged Property Acquired by the City Through the 2008 Housing Flood Buyout Project.**

The asbestos has been removed from the old AMVETS building and Benton's Sand & Gravel will start demolition right away.

Moved By: Lieb

Resolution 11-128, A Resolution of the City Council of the City of Waverly, Iowa, Awarding the Contract for the Demolition of One (1) Commercial Flood-Damaged Property Acquired by the City Through the 2008 Housing Flood Buyout Project to Benton's Sand and Gravel for the amount of 27,320 is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

5. **Mayoral Appointments.**
Moved By: Lindell
 The Mayoral Appointment of Ael Suhr and reappointment of Reid Koenig to the Waverly Light and Power Board are hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
6. **First Reading of Ordinance 952, An Ordinance Amending Chapter 40 to the Waverly Municipal Code Regarding the Electric Utility Board of Trustees.**
 Eugene Drape stated that the Waverly Light and Power Board is requesting that the terms of the Board be changed to end on December 31st instead of October 31st. Waverly Light and Power operates on a calendar year and feels it would be beneficial for terms to end at the end of the year.
Moved By: Lindell
 First Reading of Ordinance 952, An Ordinance Amending Chapter 40 to the Waverly Municipal Code Regarding the Electric Utility Board of Trustees by adding the words: "Date. Each Current and future trustee term shall begin on January 1 and end on December 31" is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
7. **Resolution 11-118, A Resolution Approving a Professional Services Agreement for the GMT Railroad Spur Line.**
 Administrator Crayne informed Council that after preliminary engineering was done it showed an increased grade change from present rail to the new site and increased costs. The plans for the spur line will be reviewed by the Commission on November 11th.
Moved By: Kangas
 Resolution 11-118, A Resolution Approving a Professional Services Agreement with AECOM of Waterloo, Iowa for a not-to-exceed amount of \$37,000 for the GMT Railroad Spur Line is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
8. **Resolution 11-122, A Resolution Approving an Engineering Services Agreement for W. Bremer Avenue (3-laning & roundabout) and 4th Street SW (3-laning) Concept Design and Presentation Material.**
 Council voiced concern with student safety on a proposed roundabout at the 20th Street and W. Bremer Avenue intersection. City Engineer Cherry stated that sections of 4th Street SW and West Bremer Ave are nearing the end of their life and may need to be totally reconstructed. The presentation material would show corridor improvements identified in two previously completed traffic studies. The presentation materials will be used to engage the IDOT and the public in reconstruction discussions. Discussion followed on the sidewalk system along Bremer Ave. and a concept design and presentation materials for 4th Street SW only.
 The 4th Street corridor needs to be widened to accommodate a two way left turn lane but it can be done within the sidewalk boundaries. However, all trees from the sidewalk to the curb would need to be removed. Several months ago the City had to decline presentation of the proposed improvements to the IDOT Highway Commission because it did not have suitable presentation materials. The DOT has no plan presently to do corridor improvements in Waverly but wants communities to discuss their local needs. Council asked Staff to determine the cost of developing presentation materials for the 4th Street corridor only.

Moved By: Lindell

Resolution 11-122, A Resolution Approving an Engineering Services Agreement with Snyder & Associates, Inc. of Ankeny, Iowa for the Development of Presentation Materials Showing Proposed Improvements for W. Bremer Avenue (3-laning & roundabout) and 4th Street SW (3-laning) Concept Design and Presentation Material for estimated total fees are approximately \$16,000 is hereby approved.

Yes: 0 No: 4 Absent: 2 4th Ward Vacant

9. **Resolution 11-126, A Resolution Authorizing City Staff to Proceed in Applying for a FY 2011 TIGER Discretionary Grant for the Cedar River Parkway Project.**

City Engineer Cherry informed the Council that the Cedar River Parkway Project fits criteria for said funding. A TIGER grant is currently the only hope for Waverly to complete the corridor in one complete project. During Strategic Planning discussions Council made the decision to seek funding for the whole corridor. The project cost is estimated \$12,000,000 but the City may only receive partial funding. Funding is very competitive and the local share in the application is offered at \$2,000,000. The public hearing for the Environmental Assessment for the project will be held in December.

Moved By: Lieb

Resolution 11-126, A Resolution Authorizing City Staff to Proceed in Applying for a FY TIGER Discretionary Grant for the Cedar River Parkway Project is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

10. **Approve Change Order No. 1 for the 2nd Avenue SW Reconstruction 2011.**
Moved By: Lieb

Change Order No. 1 for the 2nd Avenue SW Reconstruction 2011 for the decreased amount of \$52.20 to Heartland Asphalt of Mason City, Iowa is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

11. **Approve Change Order No. 2 for the 2nd Avenue SW Reconstruction 2011.**
Moved By: Lindell

Change Order No. 2 for the 2nd Avenue SW Reconstruction 2011 for the increased amount of \$1,590 to Heartland Asphalt of Mason City, Iowa is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

12. **Resolution 11-119, A Resolution Finalizing the 2nd Avenue SW Reconstruction 2011 and Approving Final Pay Request.**
Moved By: Boorum

Resolution 11-119, A Resolution Finalizing the 2nd Avenue SW Reconstruction 2011 and Approving Final Pay Request to Heartland Asphalt of Mason City, Iowa for the amount of \$19,210.20 is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

13. **Approve Change Order No. 1 for the 10th Avenue SW Sidewalk Construction 2011.**
Moved By: Lindell

Change Order No. 1 for the 10th Avenue SW Sidewalk Construction 2011 for the decreased amount of \$5,313.95 to Baker Concrete and Excavating of Waverly, Iowa is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

14. **Pay Request from Baker Concrete and Excavating for the 10th Avenue SW Sidewalk Construction 2011.**
Moved By: Lieb
Pay Request from Baker Concrete and Excavating for the 10th Avenue SW Sidewalk Construction 2011 in the amount of \$65,507.63 is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
15. **Resolution 11-120, A Resolution Finalizing the 10th Avenue SW Sidewalk Construction 2011 and Approving Final Pay Request.**
Moved By: Boorum
Resolution 11-120, A Resolution Finalizing the 10th Avenue SW Sidewalk Construction 2011 and Approving Final Pay Request to Baker Concrete and Excavating of Waverly, Iowa for the amount of \$7,196.15 is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
16. **Approve Change Order No. 1 for the Library and City Hall Concrete Parking Lot Repairs - 2011.**
Moved By: Kangas
Change Order No. 1 for the Library and City Hall Concrete Parking Lot Repairs – 2011 for the increased amount of \$87.00 to Baker Concrete and Excavating of Waverly, Iowa is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
17. **Resolution 11-121, A Resolution Finalizing the Library and City Hall Concrete Parking Lot Repairs – 2011 and Approving Final Pay Request.**
Moved By: Kangas
Resolution 11-121, A Resolution Finalizing the Library and City Hall Concrete Parking Lot Repairs – 2011 and Approving Final Pay Request to Baker Concrete and Excavating of Waverly, Iowa for the amount of \$8,339.26 is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
18. **Set Public Hearing for the Cedar River Parkway Improvements – Environmental Assessment.**
Discussion followed on sound buffer along said corridor.
Moved By: Lieb
December 5, 2011 from 5:00 p.m. until 7:00 p.m. in the Civic Center at City Hall is the date, time and place set for a public hearing for the Cedar River Parkway Improvements – 2011 is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
19. **Resolution 11-123, A Resolution Approving the Minor Plat for Parcel “Y” in Southwest Waverly.**
Moved By: Kangas
Resolution 11-123, A Resolution Approving a Minor Plat to create Parcel “Y” out of existing land adjacent to property owned by Michael Wilhelms in Southwest Waverly is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant
20. **Resolution 11-124, A Resolution Proposing the Vacation of a Utility Easement Between Lots 7 & 8 in Waverly Industrial Plaza.**
Moved By: Boorum
Resolution 11-124, A Resolution Proposing the Vacation of a Utility Easement Between Lots 7 & 8 in Waverly Industrial Plaza and sets November 7, 2011 at 7:00 p.m. in the Council Chambers at City Hall as the date, time, and place set for a public hearing is hereby approved.
Yes: 4 No: 0 Absent: 2 4th Ward Vacant

21. **Approve Change Order No. 2 and Change Order No. 3 and Payment for Demolition of 23 HMGP Flood Buyout Properties.**

Community Development and Zoning Specialist Ben Kohout informed Council that Kelly Demolition performed additional work on sanitary sewer disconnects. The contract will remain open until seeding is completed.

Moved By: Lieb

Change Order No. 2 and Change Order No. 3 and payment for Demolition of 23 HMGP Flood Buyout Properties for the increased amount of \$2,390.00 and the increased amount of \$4,800, respectively, for a combined total of \$7,190 to Kelly Demolition, LLC of Mount Vernon, Iowa is hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

22. **Approval of September Cash Disbursements.**

Moved By: Lindell

The September Cash Disbursements are hereby approved.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Planning and Zoning Commission Minutes -discussion of sidewalk gaps.
Economic Development Commission Minutes-Waverly Connected is November 16th at Cuna Mutual.

2. **Reports.**

Budget Schedule Memorandum – reviewed schedule.

3. **Communications.**

Police Chief Pursell informed Council that Saturday the Police Department as part of the National Prescription Take Back Day will be collecting old prescriptions at the Waverly Public Library from 10:00 A. M. through 2:00 P. M. It is free and it is just for pills or capsules.

The Council thanked Jessica Hawbacker for her service as Guest Councilperson.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

City Engineer Cherry informed Council that the Inflatable Dam issue has been resolved and contractors will begin to remove the coffer dam and clean up the park. Mr. Cherry stated that staff will continue to do performance testing for the next couple of weeks.

Discussion followed on flood buyout lot green spaces and speed limit signs on 4th Street SW and on Crestwood Ave.

The Engineering Agreement for the Airport Obstruction Study will be coming to Council in December.

Staff will check on dry run maintenance.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 4 No: 0 Absent: 2 4th Ward Vacant

Council adjourned at 8:45 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk