

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 6, 2012, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gary Boorum, Gene Lieb, Dan McKenzie, Richard Lindell, Chris Neuendorf and Tim Kangas. Absent: None.

1. **Pledge of Allegiance.**

Mayor Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Pastor Jim Lee said prayer for the 2012 Council.

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

Moved By: Olson

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

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Boorum

The January 16, 2012, January 23, 2012 and January 28, 2012 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

Greg Miller will join Council at the next meeting.

B. PUBLIC HEARINGS.

C. VISITORS/PUBLIC COMMENTS.

Dustin Merrick voiced concern with no policy on the condition of rental properties.

City Administrator Crayne informed Duane Liddle that all directors are involved with risk management of all City facilities. Insurance representatives come in and assess risk at facilities and meet with Directors.

On Thursday, February 9th there will be several sites for citizens to come and provide public input on a possible future outdoor pool project. Please contact Leisure Services 352-6263 for sites and times.

D. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Dam Project for the amount of \$1,030.59.

2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Supplemental Dam Project in the amount of \$3,691.80.

3. Pay Request from WHKS & Co. for the Trail Extension from Brookwood Park to Soccer Complex for the amount of \$15,931.06.

4. Pay Request from AECOM for the GMT Railroad Spur Line for GMT Corporation for the amount of \$5,666.01.

5. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project for the amount of \$7,388.00.

6. Pay Request from Stanley Consultants for the Waverly Cedar Parkway Environmental Assessment for the amount of \$6,001.43.

7. Pay Request from Stanley Consultants for the Waverly Dam Reconstruction Phase 5 Commissioning & Plan of Operation for the amount of \$210.00.

8. Pay Request from Dave Schmitt Construction Project for Repair and Extension of Curb Stops and Valve Boxes along the 4th St. SW Corridor Improvements Project for the amount of \$2,139.80.
9. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions for the amount of \$924.79.
10. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts for the amount of \$515.22. City Engineer Cherry informed Council that the Water Division identified some additional work needed to be done so they worked directly with Dave Schmitt Construction did most of the water and storm sewer improvements along the corridor.

Moved By: Lindell

Items 1 – 10 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. Review 2012 Goals of the Airport Commission.

Dennis Hansen reviewed the Airport Commission's primary goals for this year. First is the completion of the vertical infrastructure survey which is scheduled to be completed by April, 2012. Second is to implement the capital planning regarding land acquisition analysis for FAA safety zone compliance and runway lengthening. The third goal is continue to assess airport hangar demand for City and private constructed hangars. The final goal is to assess the bulk hangar insulation deterioration and alleviation options. FAA funding for hangar facilities would only be available after the completion of the FAA safety zone and runway lengthening.

2. Set Public Hearing Date for the WPCF Final Clarifier Improvements.

Moved By: Kangas

February 20, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers is the date, time and place for said public hearing on the WPCF Clarifier Improvements and is hereby approved.

Yes: 7

No: 0

Absent: 0

3. Set Public Hearing Date for the Sanitary Sewer Lift Station Improvements 2012.

Moved By: Kangas

February 20, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers is the date, time and place for said public hearing on the Sanitary Sewer Lift Station Improvements 2012 and is hereby approved.

Yes: 7

No: 0

Absent: 0

4. The Revised Final Payment to Kelly Demolition for Demolition and Seeding Work on 23 HMGP Program Properties.

Community Development and Zoning Specialist Kohout informed Council that 70% for seeding work of flood buyout lot areas are in satisfactory condition and \$2,587.50 to be withheld reflecting 30 percent of the total outstanding project cost to restore remaining lots to a satisfactory condition. The City and the contractor agreed upon the amount of \$1,293.75 in lieu of the outstanding contract balance of \$2,587.50 to settle the contract and avoid litigation.

Moved By: Kangas

The revised final payment \$1,293.75 to Kelly Demolition for Demolition and Seeding Work on 23 HMGP Program Properties is hereby approved.

Yes: 7

No: 0

Absent: 0

5. Resolution 12-11, A Resolution Authorizing the Mayor to Sign Amendment No. 2 for CDBG Contract Between the City of Waverly

and INRCOG to update the Contract to Change from Iowa Homeland Security to the Iowa Economic Development Authority/(IEDA/CDBG) on the Contract.

Moved By: Olson

Resolution 12-11, A Resolution Authorizing the Mayor to Sign Amendment No. 2 for CDBG Contract Between the City of Waverly and INRCOG to update the Contract to Change from Iowa Homeland Security to the Iowa Economic Development Authority/(IEDA/CDBG) on the Contract is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Resolution 12-12, A Resolution Approving a Policy Regarding Consideration of Forgiveness of HUD Housing Rehabilitation Promissory Notes.**

The proposed policy provides for forgiveness of the promissory note based on medical circumstances. Staff would review and render a decision. Should the staff deny the request, the applicant could appeal to Council. Current policy has no forgiveness provisions and provides for payment of all or a portion of the original loan if the home is sold before 5 years have elapsed after improvements were made. Discussion was held that medical circumstances should not be the sole factor for forgiveness and that the medical circumstances must also result in financial hardship. If there is equity in the home then the promissory note should be paid. Councilmembers Lieb, Olson, City Attorney Werger and staff will meet on said policy.

Moved By: Olson

Resolution 12-12, A Resolution Approving a Policy Regarding Consideration of Forgiveness of HUD Housing Rehabilitation Promissory Notes is hereby approved.

Moved By: Olson

To table said Resolution 12-12 is hereby approved.

Yes: 7

No: 0

Absent: 0

7. **Approval of the December, 2011 Strategic Planning Document.**

Administrator Crayne reviewed accomplishments, issues, concerns, trends and opportunities, initiatives, organizational effectiveness, on-going priorities, priority programs for non-capital and capital projects of the report. Council discussed tax abatement for new affordable housing ~~and apartments~~. Leisure Services Commission will develop plan for Memorial Park post-Fair occupancy by the end of the year. The Economic Development Commission representatives will have a new location for a new Industrial Park site by the end of the year. Administrator Crayne will be working with the Economic Development Commission on future development of ~~apartment~~ affordable housing. Staff will be developing plans for a streetscape project on the west side of the river in year 12-13. The Chamber is developing a Downtown master plan. The Council will review the Strategic Plan Report in April and the fall and will have another Strategic Planning session in July.

Moved By: Neuendorf

The December, 2011 Strategic Planning Report is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Amend Stanley Consultants Engineering Services Agreement For the Waverly Dam Reconstruction Project's Construction Contract.**

City Engineer Cherry informed Council that within the Stanley contract

for construction observation there is a daily per diem and a full day charge. 24 days were lost because of high water but Stanley continued to work in the control room. Peterson Contractors had agreed to 7 days of liquidated damages for taking longer than what was required within the contract terms. The terms with Stanley Consultants and Peterson Contractors were negotiated at the end of the project.

Motion By: Mc Kenzie

Supplemental Agreement No. 5 to the Engineering Services Agreement between Stanley Consultants and the City of Waverly Amending Phase 4 Construction Administration & Resident Observation and increasing the not-to exceed amount by \$25,968 from \$200,000 to \$225,968 is hereby approved.

Yes: 7

No: 0

Absent: 0

9. **Approve Pay Request from Stanley Consultants for the Waverly Dam Reconstruction Project.**

Moved By: Mc Kenzie

The Pay Request from Stanley Consultants for the Waverly Dam Reconstruction Project for the amount of \$25,968.00 is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **First Reading of Ordinance 956 An Ordinance Amending Chapter 67.3 of the Waverly Municipal Code Regarding Domestic Animal Control.**

Police Chief Pursell informed Council that the Police Department is responsible for impounding domestic animals running at large. Domestic animals seized were taken to Waverly Veterinary Clinic and were retained there 7 days and transferred to Cedar Bend Humane Society. The Waverly Veterinary Clinic no longer wishes to house the seized animals for the City. The Cedar Bend Humane Society is willing to provide Animal Control Services for the City. The Cedar Bend Humane Society will pick up stray animals during their Business hours but the City would have to house animals collected during off hours. The housing of the domestic animals found running at large will temporarily be placed within port-a-kennels located inside the Recycling Center. With the new policy the Police Department goes out and collects the stray and tries to find the owner. The Police Department will hold the animal if it is collected in the off hours or until the owner claims the animal. There is a \$50 fee if there are reoccurrences or a misdemeanor charge for allowing an animal to run at large. The Police Department is investigating micro chip scanner that will help identify animal owners. Staff will incorporate language "City approved animal control services" in Section 67.3(3) and "Subsection (3)" in Section 67.3(4).

Moved By: Neuendorf

First Reading of Ordinance 956 An Ordinance Amending Chapter 67.3 of the Waverly Municipal Code Regarding Domestic Animal Control is hereby approved.

Yes: 7

No: 0

Absent: 0

11. **Resolution 12-13, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with William Werger at Leslie, Collins, Gritters & Werger Law Firm to Act as the Closing Agent for the City For the Flood Buyouts Funded Under Iowa Homeland Security Emergency management Division Grant Agreement Number HMGP-DR-1763-0042 01/Project Number DR-1763-09-01.**

Moved By: Boorum

Resolution 12-13, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract with William Werger at Leslie, Collins, Gritters & Werger Law Firm to Act as the Closing Agent for the City For the Flood Buyouts Funded Under Iowa Homeland Security Emergency management Division Grant Agreement Number HMGP-DR-1763-0042 01/Project Number DR-1763-09-01 is hereby approved.

Yes: 7

No: 0

Absent: 0

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
"The W" Advisory Committee Minutes – new members Darrin Siefken, and Barb Walker.
2. Reports.
3. Communications.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Discussion followed on a preview of upcoming big projects at the next Council Meeting.

City planning should follow Comprehensive Plan, Park & Open Space Plan and Iowa Smart Planning Principles.

The sledding hill at the Golf Course is closed for the year. Leisure Services and Golf Commissions will be developing sledding policies.

City Engineer Cherry informed Council that Flood Map revision will begin when the City begins the Dry Run Creek Project. The bulk of the community that is within the flood plain and benefits from the Inflatable Dam is also in the Dry Run Creek flood plain. Both flood plains have to be eliminated to make it beneficial to the community and properties within that area. The Stanley Consultant contract to do the Flood Map revision is on hold. Mr. Cherry also informed Council that the National Weather Service changed the definition of what they consider moderate and severe flooding. What was considered severe on the National Weather Service Flood Forecasting Map is now considered moderate flooding. It does not have any impact on flood maps, or homes that are in the 100 or 500 year flood plain.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:19 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk