

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on March 5, 2012, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gene Lieb, Dan McKenzie, Richard Lindell, Chris Neuendorf and Tim Kangas. Absent: Gary Boorum, Kathy Olson

1. **Pledge of Allegiance.**

Pack 69 Wolf Den led the Council in the Pledge of Allegiance.

2. **Prayer.**

No prayer.

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

**Moved By: Lindell**

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

**Yes: 5**

**No: 0**

**Absent: 2**

4. **Minutes.**

**Moved By: McKenzie**

The February 20, 2012 and February 27, 2012 Council Meeting Minutes are hereby approved as amended by removing "and an additional amount of \$2,000 for a topper" from Item 10 under Regular Business in the February 20, 2012.

**Yes: 5**

**No: 0**

**Absent: 2**

5. **Guest Councilperson.**

Kendra Wiechmann will be the Guest Councilperson for March and will join Council at the next meeting.

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing on the Proposed 2012-13 Budget. The Mayor called for written comments and there was a written comment from Wes Gade. Mr. Gade, Vern Gidley, Butch Kehe, and Denny Krueger were present at the meeting and voiced their concern with raising taxes on commercial properties. John Schutz of Waverly Chiropractic voiced his concern with City employees going to Allen Hospital with job related injuries. John Campbell voiced his concern with business conducted from a trailer or truck and not paying their share of commercial taxes. City Administrator Crayne stated that land valuations are set by the Bremer County Assessor and the Iowa Department of Revenue. The Iowa Department of Revenue ordered an equalization order for nine counties in the State. In Bremer County there was a 10% increase over all commercial properties based on the 2011 values. Mr. Crayne informed audience members that the increase overall across the community on tax dollars is 3.71%. The tax levy rate declined 2.4%. City taxes are 40% of the total County taxes. The City of Waverly follows state law on property tax levies. The rollback on residential properties is 50.7%. There is no rollback on industrial or commercial properties. Industrial classified properties did not receive an equalization order from the state and tax impact will be lower than the current year due to tax levy decrease. Mr. Crayne informed Butch Kehe that the industrial values are citywide and in the TIF District. Waverly is in the middle regarding tax levies

compared with other communities. Discussion followed on whether TIF dollars could be used to reduce commercial property taxes. The 10% equalization was set by the Iowa Department of Revenue. Council discussed that Waverly is prospering so the value can be supported. 7.4% commercial tax impact is caused by the equalization order. The Council. In the future, will address TIF dollars being used for commercial property tax relief.

The hearing was declared closed and the following action was taken.

**Moved By: Lindell**

Resolution 12-20, a Resolution Adopting the Annual Budget for Fiscal Year Ending June 30, 2013 is hereby approved.

**Yes: 4 No: 1(Neuendorf) Absent: 2**

2. This was the date, time and place for a Public Hearing on Resolution 12-21, 12-22 and 12-23 on not to Exceed \$2,750,000 General Obligation Bonds, Series 2012A. The Mayor called for written comments and there were none. Finance Director Bachhuber informed that this action was for refunding of 2005 bonds and bond issuance for nine projects. The savings for the refunding is \$36,000 over the next five years. The hearing was declared closed and the following action was taken.

**Moved By: McKenzie**

Resolution 12-21, A Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,750,000 General Obligation Bonds, Series 2012A is hereby approved.

**Yes: 5 No: 0 Absent: 2**

The bonds are essential corporate purpose.

**Moved By: Lindell**

Resolution 12-22, A Resolution Authorizing the Issuance of \$1,845,000 General Obligation Bonds, Series 2012A, and Levying a Tax for the Payment Thereof is hereby approved.

**Yes: 5 No: 0 Absent: 2**

**Moved By: Kangas**

Resolution 12-23, A Resolution Directing the Advertisement for Sale of \$2,495,000 General Obligation Bonds, Series 2012A, and Approving Electronic Bidding Procedures is hereby approved.

**Yes: 5 No: 0 Absent: 2**

3. This was the date, time and place for a Public Hearing on Resolution 12-24 on the issuance of not to Exceed \$2,400,000 General Obligation Local Option Sales and Service Tax Bonds, Series 2012B and Resolution 12-25 directing sale of \$2,215,000 General Obligation Local Option Sales and Service Tax Refunding Bonds Series 2012B. The Mayor called for written comments and there were none. Finance Director Bachhuber informed Duane Liddle that these bonds are for the refunding of 2006 Bonds. The refunding will save the City \$92,000. The hearing was declared closed and the following action was taken.

**Moved By: Kangas**

Resolution 12-24, A Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,400,000 General Obligation Local Option Sales and Service Tax Refunding Bonds, Series 2012B is hereby approved.

**Yes: 5 No: 0 Absent: 2**

**Moved By: Lindell**

Resolution 12-25, A Resolution Directing the Advertisement for Sale of \$2,215,000 General Obligation Local Option Sales and Service Tax Refunding Bonds, Series 2012B, and Approving Electronic Bidding Procedures is hereby approved.

**Yes: 5**                                **No: 0**                                **Absent:2**

4. This was the date, time and place for a public hearing on the 2012 Bituminous Seal Coat Program. The hearing was declared closed and the following action was taken.

City Engineer Cherry informed Council that the seal coat program used to be funded through the RUT fund. RUT funds have been stagnant because 40% of revenues depend upon fuel taxes. Fuel taxes have not gone up since 1989. Council approved the use Local Option Sales Tax funds to seal coat streets. The streets were built with an excessive crown. Seal coating is an excellent way to extend the life of the streets.

**Moved By: Lindell**

Resolution 12-26, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the 2012 Bituminous Seal Coat Program with Total Estimated Costs of \$135,000.00 is hereby approved.

**Yes: 5**                                **No: 0**                                **Absent: 2**

5. This is the date, time and place for a public hearing on the City Sidewalk Repairs 2012. Discussion followed on the Citywide sidewalk program costs over seven years.

The hearing was declared closed and the following action was taken.

**Moved By: Neuendorf**

Resolution 12-27, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the City Sidewalk Repairs 2012 with Total Estimated Costs of \$200,000.00 is hereby approved.

**Yes: 5**                                **No: 0**                                **Absent: 2**

6. This was the date, time and place for a public hearing on the Citywide Pedestrian Ramp Reconstruction 2012. The hearing was declared closed and the following action was taken.

**Moved By: Lindell**

Resolution 12-28, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost on the Citywide Pedestrian Ramp Reconstruction 2012 with Total Estimated Costs of \$140,000.00 is hereby approved.

**Yes: 5**                                **No: 0**                                **Absent: 2**

7. This is the date, time and place for a public hearing for the Pine Street Reconstruction 2012. Jane Rice thanked Council for approving the reconstruction of Pine Street near her home. City Engineer Cherry informed Council that construction will begin in April and the concrete section will be replaced on Pine Street.

The hearing will be declared closed and the following action was considered.

**Moved By: Lieb**

Resolution 12-29, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the Pine Street Reconstruction 2012 with Total Estimated Costs of \$63,000.00 is hereby approved.

**Yes: 5**                                **No: 0**                                **Absent: 2**

**C. VISITORS/PUBLIC COMMENTS.**

Council informed the audience present that there is a display in the Cabinet case in the entrance of City Hall showing a new pool or renovation project. Council also requested public input on said project. Studies on the pool project and Bremer County Fair/Ball Diamond Project are in the budget for next year.

**D. CONSENT AGENDA.**

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Dam Project for the amount of \$102.42.
2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Dam Project in the amount of \$70.77.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions for the amount of \$803.84.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts for the amount of \$1,517.89.
5. Pay Request from AECOM for the Preliminary and Final Design for GMT Railroad Spur for GMT Corporation, Waverly, Iowa in the amount of \$5,959.64.
6. Class B Beer Permit for Bremer County Fair Association.
7. Class C Liquor License for Centennial Oaks Golf Club.
8. Class E Liquor License for Liquor & Tobacco Outlet.
9. Class C Beer Permit for Kwik Star East.

**Moved By: Lindell**

Items 1 – 9 on the Consent Agenda are hereby approved.

**Yes: 5**

**No: 0**

**Absent: 2**

**E. REGULAR BUSINESS.**

**1. Review 2012 Goals of the Leisure Services Commission.**

Leisure Services Commission representatives Janet McCullough and Cara Schneider were present to review goals of said commission.

Ms. McCullough reviewed the Leisure Services Commission Mission Statement and 2011 accomplishments. In 2012 there will be a handicap access added to the City Outdoor Pool. Based on the facility inspections and completed surveys, Water's Edge Aquatic Design created two proposals for the pool. Water's Edge Aquatic Design went to different locations around the community to present their designs.

A final decision will have to be made on the Fair/Ball Diamond Complex by the end of the year when the option will end.

The Commission supports the Kohlmann Park location for the outdoor performance area and continues to work with the Band Committee on the design along with public input. The ISU Architectural Students design will be reviewed by a professional architect with plans to be presented at a later date.

Ms. McCullough also reviewed the 2011 Leisure Services sponsored events and 2012 goals and objectives. A recommendation on the outdoor pool project by the Commission will be coming to Council in June.

The Commission is working on the "Safe Routes to School" project along with the sidewalk repair project.

The final goal is completing the concept of a master plan for Memorial Park after the Bremer County Fair moves to its new location.

Ms. McCullough stated that the Commission has combined the Park & Open Space Plan and the Blue Zones initiative and created what is

already in place in Waverly and what the Commission wants to accomplish in the future. Southeast School has implemented a “Safe Routes to School” project. The Leisure Services and Planning & Zoning Commission are working on sidewalk gaps to schools. Later this month in March, it will be announced what smaller communities were chosen for a Blue Zone finalists.

2. **Set Public Hearing Date for the Cemetery Road and 5<sup>th</sup> Avenue NW Frontage Road Reconstruction.**  
Discussion followed on the timeline and the area to be reconstructed.  
**Moved By: McKenzie**  
March 19, 2012 at 7:00 P. M. in the Ivan “Ike” Ackerman Council Chambers is the date, time and place for said public hearing for the Cemetery Road and 5<sup>th</sup> Avenue NW Frontage Road Reconstruction is hereby approved.  
**Yes: 5                                                  No: 0                                                  Absent: 2**
3. **Set Public Hearing Date for the 8<sup>th</sup> Street NE PRV & Water Main 2012.**  
**Moved By: Lindell**  
March 19, 2012 at 7:00 P. M. in the Ivan “Ike” Ackerman Council Chambers is the date, time and place for said public hearing for the 8<sup>th</sup> Street NE PRV & Water Main 2012 is hereby approved.  
**Yes: 5                                                  No: 0                                                  Absent: 2**
4. **Set Public Hearing Date for the Water Tower Painting Improvements.**  
**Moved By: Lieb**  
March 19, 2012 at 7:00 P. M. in the Ivan “Ike” Ackerman Council Chambers is the date, time and place for said public hearing for the Water Tower Painting Improvements is hereby approved.  
**Yes: 5                                                  No: 0                                                  Absent: 2**
5. **Resolution 12-30, A Resolution Awarding Contract for the Water Pollution Control Facility (WPCF) Final Clarifier Improvements 2012.**  
City Engineer Cherry informed Council that the “Alternate A” bid is for completion of all improvements.  
**Moved By: Neuendorf**  
Resolution 12-30, A Resolution Awarding Contract for the Water Pollution Control Facility (WPCF) Final Clarifier Improvements 2012 project in the amount of \$477,800.00 for “Alternate A” improvements to Staab Construction of Marshfield, Wisconsin is hereby approved.  
**Yes: 5                                                  No: 0                                                  Absent: 2**
6. **Resolution 12-31, A Resolution Awarding Contract for the Sanitary Sewer Lift Station Improvements 2012.**  
**Moved By: Lieb**  
Resolution 12-31, A Resolution Awarding Contract for the Sanitary Sewer Lift Station Improvements 2012 project in the amount of \$819,285.45 for Tschiggfrie Excavating Co. of Dubuque, Iowa is hereby approved.  
**Yes: 5                                                  No: 0                                                  Absent: 2**
7. **Resolution 12-32, A Resolution Approving a Professional Services Agreement for the Wastewater Treatment and Collection System Improvements 2012 “Construction Phase).**  
**Moved By: Lindell**  
Resolution 12-32, A Resolution Approving a Professional Services Agreement for the Wastewater Treatment and Collection System

Improvements 2012 (Construction Phase) for a not-to-exceed amount of \$122,000.00 to WHKS & Co. of Mason City, Iowa is hereby approved.

**Yes: 5**

**No: 0**

**Absent: 2**

8. **Resolution 12-33, A Resolution Approving a 2012 TIGER Discretionary Grant Application for the Cedar River Parkway Improvements and Designating Mayor of the City of Waverly as the Authorized Representative for the City of Waverly.**

The City had previously applied for TIGER Funds and did not receive said funding. City Engineer Cherry stated that since that time the City has progressed on plans for the construction alignment and preliminary design of the Cedar River Parkway Project and have a better idea of what costs are for said project. Staff did follow up with TIGER Grant Funding staff to see how the City could strengthen their application. Grant funding representatives informed the City that TIGER grant funding has to be less than half of the total project. The City has to scale back the funding request to \$4 million grant funding and \$1.5 Million in State funding and a local match of \$4.5 million to complete the entire project. The project is vital to growth of the community. Mr. Cherry informed Council that this application doesn't commit the City to accept said funding. \$150 Million is available for rural projects and Iowa is considered rural. The Council has 60 to 90 days to make a decision. Discussion followed on priority of the project and to apply to see if the City will be granted said funding.

**Moved By: Lindell**

Resolution 12-33, A Resolution Approving a 2012 TIGER Discretionary Grant Application for the Cedar River Parkway Improvements and Designating Mayor of the City of Waverly as the Authorized Representative for the City of Waverly is hereby approved.

**Yes: 4**

**No:1(Lieb)**

**Absent: 2**

9. **Second Reading of Ordinance 957, An Ordinance Amending Section 105.4.05 of the Waverly Municipal City Code Regarding Additional Parking Restrictions.**

Community Development and Zoning Specialist Kohout stated that the intent of the ordinance is to prevent site obstruction. Police Chief Pursell informed the Council that letters were sent to property owners that park in the boulevard area notifying them of the new ordinance. The ordinance was changed to the "boulevard" or right-of-way area because some areas do not have sidewalks. City Attorney Weger and Mr. Kohout will work on the ordinance language.

**Moved By: Lindell**

Second Reading of Ordinance 957, An Ordinance Amending Section 105.4.05 of the Waverly Municipal City Code Regarding Additional Parking Restrictions is hereby approved.

**Yes: 5**

**No: 0**

**Absent: 2**

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

**Moved By: Kangas**

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

**Yes: 5**

**No: 0**

**Absent: 2**

11. **Resolution 12-34, A Resolution of the City Council of the City of Waverly, Iowa Selecting a Contractor for the Survey, Inspection and Testing of Three Flood Damaged Properties Acquired by the City Through the 2008 IDED/CDBG Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos and Approving Contract Amendment.**

Community Development & Zoning Specialist Kohout informed Council that the amendment is for 3 homes and the third home is just the basement only. Also included is a rationalization for sole source bidding.

**Moved By: Lindell**

Resolution 12-34, A Resolution of the City Council of the City of Waverly, Iowa Selecting a Contractor for the Survey, Inspection and Testing of three Flood Damaged Properties Acquired by the City Through the 2008 IDED/CDBG Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos to ATC Associates, Inc. of Waterloo, Iowa for the amount of \$1,400.00 for the properties of 609 Crestwood Avenue and 209 8<sup>th</sup> Parkway and Approving Contract Amendment Excluding Property at 309 6<sup>th</sup> Avenue SE is hereby approved.

**Yes: 5**

**No: 0**

**Absent:2**

**F. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

Design Committee Minutes – Façade improvements.

Planning & Zoning Commission Minutes-discussion on alleys.

2. **Reports.**

The W Monthly Revenue Report-steadily increasing revenue.

3. **Communications.**

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

Public hearings on projects on the March 19<sup>th</sup> agenda.

Staff has chosen a base bid to keep the water towers the same color, additional block lettering and the GoHawk logo and will continue to discuss options.

**H. ADJOURNMENT.**

**Moved By: Lindell**

That the City Council Meeting be adjourned.

**Yes: 5**

**No: 0**

**Absent:2**

**Council adjourned at 9:48 P. M.**

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

Attest:

\_\_\_\_\_  
Jo-Ellen Raap, City Clerk