A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 16, 2012, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorom, Kathy Olson, Gene Lieb, Dan McKenzie, Richard Lindell, Chris Neuendorf and Tim Kangas. Absent: None.

 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

2. Minutes.

Moved By: Lindell

The April 2, 2012 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

B. **PUBLIC HEARINGS.**

C. VISITORS/PUBLIC COMMENTS.

Discussion followed on Duane Liddle access agreement of the street in front of his residence and placement of his mailbox. City Attorney Bill Werger informed Duane Liddle that he will have to discuss mailbox placement with the Post Office.

D. CONSENT AGENDA.

- 1. Pay Request from AECOM for the Preliminary and Final Design for GMT Railroad Spur Line and GMT Corporation in the amount of \$4,328.74.
- 2. Pay Request from McClure Engineering Co. for the Waverly Obstruction Evaluation Airport Airspace Analysis (OE/AAA) Categorical Exclusion Checklist in the amount of \$3,048.10. The analysis is going to be presented to the Airport Commission and the City Council in May.
- 3. Pay Request from Svendsen Tyler, Inc. for the Historic Preservation NW & SE Neighborhood Survey Contract in the amount of \$6,320.00.
- 4. Pay Request from Plastic Safety Systems for Required ADA-Compliant Pedestrian Barricades for work affecting sidewalk & trail systems for the amount of \$10,785.68. The Plastic Safety Systems will be used on City projects to protect adjacent pedestrians from construction work.
- 5. Class C Liquor License for Wooden Foot Saloon.
- 6. Class C Liquor License for Asian Garden.

Moved By: Lindell

Items 1 - 6 on the Consent Agenda are hereby approved.

Yes: 7 No: 0 Absent: 0

E. <u>REGULAR BUSINESS.</u>

1. Resolution 12-64, A Resolution Appointing Wells Fargo Bank,
National Association of Minneapolis, Minnesota, to Serve as Paying
Agent, Bond Registrar, and Transfer Agent, Approving the Paying
Agent and Bond Registrar and Transfer Agent Agreement and
Authorizing the Execution of the Agreement for \$2,495,000 General
Obligation Bonds, Series 2012A.

Finance Director Bachhuber informed Council that all proceedings are required for legal compliance for the issuance of the 2012A and 2012B bonds.

Moved By: Olson

Resolution 12-64, A Resolution Appointing Wells Fargo Bank National Association of Minneapolis, Minnesota, to Serve as Paying Agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$2,495,000 General Obligation Bonds, Series 2012A is hereby approved.

Yes: 7 No: 0 Absent: 0

2. **Approval of Tax Exemption Certificate.**

Moved By: Boorom

The Tax Exemption Certificate is hereby approved.

Yes: 7 No: 0 Absent: 0

3. Approval of Continuing Disclosure Certificate.

Mr. Bachhuber stated that in signing the Certificate, the City agrees to file the necessary annual documents to the bond holders.

Moved By: Lindell

The Continuing Disclosure Certificate is hereby approved.

Yes: 7

No: 0

Absent: 0

4. Resolution 12-65, A Resolution Amending the Resolution
Authorizing and Providing for the Issuance of \$1,845,000 General
Obligation Bonds, Series 2012A and Levying a Tax for the Payment
Thereof, Passed and Approved March 5, 2012 by Substituting a New
Resolution Thereof, for a Revised Bond Issue in the Total Aggregate
Amount of \$2,495,000.

Moved By: Neuendorf

Resolution 12-65, A Resolution Amending the Resolution Authorizing and Providing for the Issuance of \$1,845,000 General Obligation Bonds, Series 2012A and Levying a Tax for the Payment Thereof, Passed and Approved March 5, 2012 by Substituting a New Resolution Therefore, for a Revised Bond Issue in the Total Aggregate Amount of \$2,495,000 is hereby approved.

Yes: 7 No: 0 Absent: 0

5. Resolution 12-66, A Resolution Authorizing the Redemption of \$645,000 Outstanding General Obligation Bonds, Series 2005, of the City of Waverly, State of Iowa, Dated April 1, 2005 and Directing Notice be Given.

Moved By: Lindell

Resolution 12-66, A Resolution Authorizing the Redemption of \$645,000 Outstanding General Obligation Bonds, Series 2005, of the City of Waverly, State of Iowa, Dated April 1, 2005 and Directing Notice be Given is hereby approved.

Yes: 7 No: 0 Absent: 0

6. Resolution 12-67, A Resolution Appointing Wells Fargo Bank,
National Association of Minneapolis, Minnesota, to serve as Paying
Agent, Bond Registrar, and Transfer Agent, Approving the Paying
Agent and Bond Registrar and Transfer Agent Agreement and
Authorizing the Execution of the Agreement for \$2,195,000 General
Obligation Local Option Sales and Services Tax Refunding Bonds,
Series 2012B.

Mr. Bachhuber stated that Wells Fargo will hold the bonds. The interest will pay for the bonds until Wells Fargo calls said bonds with the new issuance. This refunding will save the City approximately \$120,000.

Moved By: Olson

Resolution 12-67, A Resolution Appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as Paying Agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$2,195,000 General Obligation Local Option Sales and Services Tax Refunding Bonds, Series 2012B is hereby approved.

Yes: 7 No: 0 Absent: 0

7. Approval of Tax Exemption Certificate.

Moved By: Boorom

The Tax Exemption Certificate is hereby approved.

Yes: 7 No: 0 Absent: 0

8. Resolution 12-68, A Resolution Authorizing and Providing for the Issuance of \$2,195,000 General Obligation Local Option Sales and Services Tax Refunding Bonds, Series 2012B, and Levying a Tax to Pay for said Bonds.

Moved By: Neuendorf

Resolution 12-68, A Resolution Authorizing and Providing for the Issuance of \$2,195,000 General Obligation Local Option Sales and Services Tax Refunding Bonds, Series 2012B, and Levying a Tax to Pay for said Bonds is hereby approved.

Yes: 7 No: 0 Absent: 0

9. Resolution 12-63, A Resolution Setting Additional User Fees and Charges for the Golf Course for 2012 Recommended by the Golf Commission.

Leisure Services Director Ray informed Council that the Golf Commission is interested in retaining younger golfers. The \$50 Season pass for younger golfers is for each player on the WSR Golf Team and attract said golfers to continue play after the season.

Moved By: Lindell

Resolution 12-63, A Resolution Setting Additional User Fees and Charges for the Golf Course for 2012 Recommended by the Golf Commission are hereby approved.

Yes: 7 No: 0 Absent: 0

10. Resolution 12-58, A Resolution Approving Contract Documents for the Cemetery Road and 5th Avenue NW Frontage Road Reconstruction 2012.

Moved By: Boorom

Resolution 12-58, A Resolution Approving Contract Documents for Heartland Asphalt of Mason City for the amount of \$204,195.80 for the Cemetery Road and 5th Avenue NW Frontage Road Reconstruction 2012 is hereby approved.

Yes: 7 No: 0 Absent: 0

11. Resolution 12-59, A Resolution Approving Contract Documents for the Citywide Sidewalk Repairs 2012.

City Engineer Cherry stated that Concrete Idea has submitted an extensive reference list and past project inspectors have given said contractor favorable reviews.

Moved By: Olson

Resolution 12-59, A Resolution Approving Contract Documents to Concrete Idea, Inc. of St. Michael, Minnesota in the amount of \$169,950.00 for the Citywide Sidewalk Repairs is hereby approved.

Yes: 7 No: 0 Absent: 0

12. Resolution 12-60, A Resolution Approving Payment to ATC Associates for the Survey, Testing and Inspection of Three CDBG Flood Buy-Out Properties Owned by the City of Waverly.

Community Development & Zoning Specialist informed Council that there is one more property that has to be tested for asbestos. Nine properties will be abated and demolished later this summer.

Moved By: Kangas

Resolution 12-60, A Resolution Approving Payment to ATC Associates for the Survey, Testing and Inspection of Three CDBG Flood Buy-Out Properties Owned by the City of Waverly is hereby approved.

Yes: 7 No: 0 Absent: 0

13. Resolution 12-69, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract and Summary Bidding Document for Erosion Control and Seeding of 19 of the 69 HMGP Buyout Properties to Tiedt Nursery.

City Administrator Crayne informed Council that the "sole source" wording was replaced with "summary" of the bids received. Discussion followed future bidding requirements. The City will be reimbursed for said costs by FEMA funding sources.

Moved By: Lindell

Resolution 12-69, A Resolution of the City Council of the City of Waverly, Iowa, Authorizing the Mayor to Sign a Contract and Summary Bidding Document for Erosion Control and Seeding of 19 of the 69 HMGP Buyout Properties to Tiedt Nursery for the amount of \$7,222.50 is hereby approved.

Yes: 7 No: 0 Absent:0

14. Resolution 12-61, A Resolution Awarding Contract for the 12th Street NW HMA Resurfacing 2012.

City Engineer Cherry informed Council that the work should begin around the 4th of July.

Moved By: Neuendorf

Resolution 12-61, A Resolution Awarding Contract to Heartland Asphalt, Inc. for the amount of \$392,899.09 for the 12th Street NW HMA Resurfacing 2012 is hereby approved.

Yes: 7 No: 0 Absent: 0

15. Resolution 12-62, 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 Administrator Crayne informed Council that the City sell bonds to reimburse the project account where funds are withdrawn. Finance Director Bachhuber also informed Council that there is a time period limitation on project account reimbursement.

Moved By: Olson

Resolution 12-62, 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 for Clarifier and Lift Station Improvements in the amount of \$1,700,000 is hereby approved.

Yes: 7 No: 0 Absent: 0

16. **Approval of March Cash Disbursements.**

Moved By: Lindell

The March Cash Disbursements are hereby approved.

Yes: 7 No: 0 Absent: 0

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Bremer/Waverly Law Board Minutes – Bremer County will be accepting bids on the new storage facility.

Waverly Senior Citizens Group – discussion on fundraiser.

Hazard Mitigation/River Use Commission notes- weather radios were given to five people in honor of Severe Weather week.

- 2. Reports.
- 3. Communications.

G. <u>CITY COUNCIL COMMENTS ON POLICY ISSUES.</u>

Guest Councilperson Emily Neuendorf stated that "Ladies Night Out" was a success. Ms. Neuendorf also informed Council that May is Tourism Month and the Health Fair, Art Walk and "Moms on Main" are planned during May.

Community Development & Zoning Specialist informed Council that there will be a future contract amendment regarding the demolition and complete removal of debris from buyout homes.

Discussion followed on a report on the swimming pool and State legislation to allow communities to use state sales tax on flood mitigation. There will be information on the Fair/Ball Diamond Facility on the next agenda and an update in May.

H. <u>EXECUTIVE SESSION.</u>

 Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

Moved By: Lindell

To enter into closed session.

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Yes: 7	No: 0	Absent: 0

Moved By: Boorom

To reenter into open session.

Yes: 7 No: 0 Absent: 0

I. <u>ADJOURNMENT.</u>

Moved By: Boorom

That the City Council Meeting be adjourned.

Yes: 7 No: 0 Absent: 0

Council adjourned at 8:22 P. M.

Attest:	Bob Brunkhorst, Mayor
Jo-Ellen Raap, City Clerk	