

A. CALL TO ORDER.

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

1. **Pledge of Allegiance.**

Mayor Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Pastor Moody Colorado said a 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: Olson

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

Yes: 7 No: 0 Absent: 0

5. **Proclamation.**

Moved By: Boorum

Proclaiming May 15th as Peace Officers' Memorial Day and the week in which May 15th falls as National Police Week is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Proclamation.**

Jim Hundley informed Council that Historic Preservation awards are given to properties that preserve their original design and structure. Residential or non-residential buildings are judged on the exterior appearance. The deadline for historic preservation nominations is June 15th and the awards will be presented at the Heritage Days celebration.

Moved By: Olson

Proclaiming May, 2012 as National Preservation Month is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Guest Councilperson.**

The Council welcomed Wes Gade as Guest Councilperson for May.

B. PUBLIC HEARINGS.

1. This is the date, time and Place for a Public Hearing on Ordinance 958, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Certain Area of Said City from U-1 (Environmentally Sensitive Protected District) to R-1 (Single Family Residential District) for property located in SE Waverly on the Northeast Corner of 8th Street SE and 17th Avenue SE. The Mayor called for any comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Kangas

Second Reading of Ordinance 958, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Certain Area of Said City from U-1 (Environmentally Sensitive Protected District) to R-1 (Single Family Residential District) for Property located in SE Waverly on the Northeast Corner of 8th Street SE and 17th Avenue SE is hereby approved.

Yes: 7 No: 0 Absent: 0

C. VISITORS/PUBLIC COMMENTS.

Mayor Brunkhorst informed Mike Jahnke that the City officials would meet with him on his property concerns.

Duane Liddle voiced concern with grasses in the 4th Street SW median at the McDonalds driveway.

Discussion followed on Saturday's Art Walk in Kohlmann Park.

Guest Councilperson Gade voiced his concern with left hand turn signal at the 4th Street and Bremer Ave intersection.

D. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions for the amount of \$1,137.39.
2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts for the amount of \$2,691.00.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$11.99.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the EDA Dam Project in the amount of \$134.50.
5. Pay Request from Structure Architects for the Waverly Ball Diamonds and Bremer County Fairgrounds-Master Planning in the amount of \$2,120.02.
6. Pay Request from Tallgrass Historians, L.C. for the Commercial District Survey and NRHP Nomination in the amount of \$5,464.44.
7. Pay Request from AECOM for the Preliminary and Design for GMT Railroad Spur Line for GMT Corporation City of Waverly, Iowa in the amount of \$9,213.23.
8. Pay Request from Baker Concrete and Excavating for the Citywide Concrete Sidewalk and Curb & Gutter Repairs 2011 in the amount of \$28,491.50.
9. Class C Liquor License Permit for WaterStreet Grill.

Moved By: Boorum

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

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Set Public Hearing Date for the Centennial Oaks Phase 3A Improvement Project 2012.**

Moved By: Neuendorf

May 21, 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 Centennial Oaks Phase 3A Improvement Project 2012 is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Resolution 12-75, A Resolution Proposing the Vacation of Drainage Easements Between Lots 90, 91, 93 94 and Outlot L within the Centennial Oaks Golf Club Addition Phase 3B platted area.**

City Engineer Cherry informed Council that some of the drainage easements that were identified in the 1999 plans were not in the right location. As part of subdivision construction documents, the City seeks to vacate unnecessary easements and create the needed easements to enable completion of Augusta Lane to 29th Avenue. Lyle TeKippe, of TeKippe Engineering, stated that a soil consultant took soil bores of the area. Discussion followed on the soil testing. Mr. Cherry also informed Council that a maintenance bond will be provided and TeKippe Engineering will perform onsite construction observation.

Moved By: McKenzie

Resolution 12-75, A Resolution Proposing the Vacation of Drainage Easements Between Lots 90, 91, 93 94 and Outlot L within the Centennial Oaks Golf Club Addition Phase 3B platted area and sets May 21, 2012 in the Ivan "Ike" Ackerman Council Chambers at City Hall as the date, time and place for a public hearing and is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 12-73, A Resolution Proposing Sale of Vacated Substation Lot and Setting the Public Hearing Date of Said Sale**

Mike Litterer stated that after Waverly Light & Power upgraded Terex's voltage system there was no need for the substation lot. Earl Burkle will purchase said property because it adjoins his property.

Moved By: Lindell

Resolution 12-73, A Resolution Proposing Sale of Vacated Substation Lot and Sets

May 21, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers as the date, time and place for a Public Hearing Date on Said Sale and is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Review of the Waverly Light & Power Audit.**

Diane Johnson of Waverly Light & Power informed Council that the City's power supply provider pays for half the local generation that exists in Waverly in order to have capacity in case of emergencies. The amount paid by the provider pays for the cost to maintain the City's generators. When Wartburg College was building "The W" officials decided to offset some of the increased usage to purchase renewable or green energy. Wartburg pays \$100,000 annually and WLP uses those funds for renewable energy costs. Waverly Light and Power can connect businesses together with their fiber optic system or customers can lease fiber. The balance of the Renewable Energy Fund will be used for reconstruction of Cannon 2 in July along with Specified Project fund money. Cannon II has to be reconstructed by the end of the year so the FAA permit will not expire on their turbine. In June, WLP goes to mediation on an insurance settlement for Cannon II. If emissions from fossil fuels become more regulated, wind energy will be in demand. The City has 3 wind turbines. Funds received over operational costs are entered into the Rate Stabilization fund. The Board of Trustees determined that Waverly Light & Power discontinue transferring \$75,000 to the City for "The W" and \$25,000 to the Waverly Health Center. The intent of the Board is to continue payment of \$120,000 until it reaches \$1,800,000 for their contribution to "The W."

5. **Resolution 12-74, A Resolution Proposing to Convey Vacated Alley Adjacent to Lots 8-16 and 18-26 of William Mooney's Addition to Waverly and Setting Procedures and Fees for Said Transfers.**

Community Development & Zoning Specialist Kohout informed the Council that the alley was vacated in 1960 but was never conveyed to the adjoining property owners. There is no infrastructure in the alley and in 2011 two property owners requested City conveyance of the alley adjacent to their properties. Discussion followed on procedures and fees for the transfer of the alley conveyance procedure. The Council decided to offer the property to adjoining lot owners of the alley for a flat fee of \$100.00 to cover legal and filing costs.

Moved By: Neuendorf

Resolution 12-74, A Resolution Proposing to Convey Vacated Alley Adjacent to Lots 8-16 and 18-26 of William Mooney's Addition to Waverly and Setting Procedures for a flat fee of \$100.00 for Said Transfers is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Resolution 12-76, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of One Flood Damaged Property Acquired by the City Through the 2008 IDED/CDBG Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos.**

Moved By: Olson

Resolution 12-76, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor ATC Associates for the amount of \$650.00 for the Survey, Inspection and Testing of One Flood Damaged Property Acquired by the City Through the 2008 IDED/CDBG Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 12-77, A Resolution of the City Council of the City of Waverly, Iowa, Amending the Contract for the Demolition of Eleven Flood-Damaged Properties Acquired by the City Through the 2008 Housing Flood Buyouts Project to Include Removal of Basement for One Property.**

The City has identified said property as a site for a City owned tree nursery for growing of City trees. The removal of the basement is necessary due to the use of a tree spade on the lot and to conform with the adjacent lots. Community Development & Zoning Specialist

informed Guest Councilperson Gade that after the **eleven** demolitions there will be an additional **nine** to be demolished this summer.

Moved By: Lindell

Resolution 12-77, A Resolution of the City Council of the City of Waverly, Iowa, Amending the Contract with **Active Thermal Concepts** to include removal of basement for the property at 214 7th Ave SW for the amount of \$6,051.00 for the Demolition of Eleven Flood-Damaged Properties Acquired by the City Through the 2008 Housing Flood Buyouts Project is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Set Public Hearing Date for the 2011-2012 Budget Amendment.**

Finance Director Bachhuber reviewed the necessity for the budget amendment which reflects changes in revenues and expenditures with no change in the property taxes collected.

Moved By: Boorum

May 21, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers is the date, time and place for said public hearing and is hereby approved.

Yes: 7

No: 0

Absent: 0

9. **Resolution 12-79, A Resolution Approving Contract Documents for the Water Tower Painting Improvements 2012.**

City Engineer Cherry stated that he will have more information on the tower emblems after the preconstruction meeting with the Contractor.

Moved By: Olson

Resolution 12-79, A Resolution Approving Contract Documents from Maquire Iron from Sioux Falls, South Dakota for \$579,850 for the Water Tower Painting Improvements 2012 is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **Resolution 12-78, A Resolution Approving Contract, Bonds, & Insurance for the 12th Street NW Resurfacing 2012.**

Mr. Cherry informed Council that the project will take about 8 weeks to complete. The City will receive \$200,000 of Federal funds for the project.

Moved By: Lindell

Resolution 12-78, A Resolution Approving Contract, Bonds and Insurance from Heartland Asphalt of Mason City, Iowa for \$392,899 for the 12th Street NW Resurfacing 2012 is hereby approved.

Yes: 7

No: 0

Absent: 0

11. **Resolution 12-80, A Resolution Approving Contract Documents for 8th Street NE PRV & Water Main 2012.**

The project will be completed in September.

Moved By: Boorum

Resolution 12-80, A Resolution Approving Contract Documents for Denver Underground & Grading of Denver, Iowa for \$174,200 for 8th Street NE PRV & Water Main 2012 is hereby approved.

Yes: 7

No: 0

Absent: 0

12. **Resolution 12-81, A Resolution Accepting Railroad Revolving Loan and Grant Program (RRLGP) Agreement for Construction of a Rail Spur to the GMT Facility in the Waverly Industrial Plaza.**

Moved By: Kangas

Resolution 12-81, A Resolution Accepting Railroad Revolving Loan and Grant Program (RRLGP) Agreement for Construction of a Rail Spur to the GMT Facility in the Waverly Industrial Plaza is hereby approved.

Yes: 7

No: 0

Absent: 0

13. **Mayoral Appointments.**

Moved By: Neuendorf

The Mayoral Appointments of Susan Buresh for Planning & Zoning Commission and

Laura Frerking, Mark Lenius and Larry Biddison will serve the rest of Arne Waldstein's term for the Library Board, and Linda Brandt for the Board of Adjustment are hereby approved.

Yes: 7

No: 0

Absent: 0

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Economic Development Commission-discussion of housing in Waverly.

Airport Commission - the obstruction survey report will be presented at the May 21st Council Meeting.

Leisure Services Commission-Jim Carver submitted a drawing to the Commission for pedestrian trails and performance area in Kohlmann Park. Discussion followed on new safety guidelines for the sledding hill at the golf course.

2. **Reports.**

3. **Communications.**

Outdoor Pool Update-Outdoor Pool Committee has decided to wait and see what happens with the Fair/Ball Diamond project and will have a report for Council in January. The Committee would like to pursue a new pool rather than renovation. The pool will open May 26th and a lift will be installed at the pool before it opens.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Author Robert Waller has given a copy of his new book on decision making to the City of Waverly.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent:0

Council adjourned at 8:40 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk