

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on July 2, 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.**

Lissa Kahl of Redeemer Church led the 2012 Council in prayer.

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: Lindell

The June 18th and 25th, 2012 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Justin Jackson as the Guest Councilperson for July.

B. PUBLIC HEARINGS.

1. This was the date, time and Place for a Public Hearing on 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 and Amendment of the Comprehensive Land Use Map. The Mayor called for any or written comments. Joe Barber, owner of the property informed Council that he wanted to combine all the land into a single zoning designation. Mr. Barber stated he would like to plant a vineyard and orchard and pole building on said land in the future. Mr. Barber wants to keep his property in an agricultural setting versus developing it. Staff also informed Council that if the land is sold and developed the plat has to be approved by Planning and Zoning Commission and Council. The hearing was declared closed and the following action was taken.

Moved By: Neuendorf

Second Reading of Ordinance 960, 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 and amendment to the Comprehensive Land Use Map is hereby approved.

Yes: 7

No: 0

Absent: 0

C. VISITORS/PUBLIC COMMENTS.

Americorp Representatives Ryan Ott and Katlin Dane informed Council that they were involved with home energy efficiency program with Waverly Light and Power. They conduct an audit of the home and provide the air infiltration reduction improvements and conduct another audit to see if the said improvements reduce the property owner's utility bill. Duane Liddle expressed concern on the access road in front of his home.

D. CONSENT AGENDA.

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for HMGP Demolitions for the amount of \$339.60.
2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts for the amount of \$3,323.15.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$112.74.
4. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the EDA Dam Project in the amount of \$300.32.
5. Pay Request from Concrete Idea, Inc. for the Citywide Concrete Sidewalk Repairs – 2012 in the amount of \$66,439.01.
6. Pay Request from WHKS & Co. for the Water Storage Painting and Distribution System Improvements in the amount of \$67,837.37.
7. Pay Request from WHKS & Co. for the Wastewater Treatment and Collection System Improvements in the amount of \$119,849.43.
8. Class B Beer Permit for Waverly Heritage Days.

Moved By: McKenzie

Items 1 – 8 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Approval to proceed with hiring a consultant to develop Kohlmann Park Arena Plans and Specifications.**

Keith Collins of the Municipal Band Committee informed Council that the concerts have been held in Kohlmann Park for the last three years. Mr. Collins presented a petition to Council in support of Kohlmann Park site for a band performance area. Mark Mueller of the Band Committee stated the amphitheatre will be in the middle of the park to address the neighbor's concerns. The businesses in town are in favor of the park setting for band concerts. Mr. Mueller also stated that the concerts have been in the park and the river has not been a problem and traffic gets through on 1st St. NW. The Committee feels that the band concerts will enhance the river. The Leisure Services Commission endorses said site. The band amphitheatre and will be funded by private donations. Larry Kurtz of AHTS Architecture reviewed the design of said amphitheatre and construction costs of \$298,575. The next step would be to go to a structural engineer to draw up plans and specs and with Council approval go out for bids. Engineer costs will come from the Municipal Band Fund. City Administrator Crayne stated that if City funds are being used for a consultant to prepare the plans and specs for said structure the City should approve that contract and provide payment for the work that's done. Police Chief Pursell informed Council that there have been no recorded accidents on 1st St. NW during the concerts. No matter where

the concerts are there will be traffic and people will have to be cautious approaching the event. Chief Pursell stated that 1st St. NW can handle traffic and felt it was not necessary to eliminate parking for one event. Discussion followed on emergency vehicles going out of town to the north and parking on flood buyout lots. Mr. Mueller also informed Council that there are alleys in the back of flood buyout properties by Kohlmann Park and concert goes park diagonally on said lots. The Municipal Band Committee will raise the money for the Amphitheatre. The Leisure Services Commission could hold a meeting inviting neighbors to Kohlmann Park to express their concerns. The people that were here the last time were objecting to the band shell in Kohlmann Park. Leisure Services Director Ray suggested having a public forum for citizens to voice their concerns about the project.

Moved By: Lindell

Approval for a Leisure Services consultant contract to develop a Kohlmann Park arena designed to specifications contract is hereby approved.

Yes: 5

No: 2 (Boorum, Kangas) Absent: 0

2. **Review Downtown Master Plan.**

Waverly Chamber Director, Emily Neuendorf stated the Mayor and Council asked the Chamber to create a Downtown Master Plan. The Main Street Master Plan extends west to 7th Street to 5th Street on the East and a block to the north and south and includes Kohlmann Park and South Riverside Park. The Mission of the Downtown Master Plan is to create a strategy for thriving town center. Park and Open Space Plan, Comprehensive Land Use Plan, Bremer Ave Streetscape Plan, Market analysis were resources used in the development of the Downtown Concept Plan. Facade and river restoration were discussed in the public forums on said plan and were highly important. The Task Force recommends the creation of a matching façade grant program utilizing TIF dollars. The Task Force recommends that the City work with the IDOT on enhancements to Bremer Ave. Traffic nodes with pocket park concepts at certain intersections and bump outs on side streets were discussed with the Task Force. Street signage directing motor and foot traffic to key locations in the downtown provides an informative and welcoming environment for residents and visitors. Side streets and alleys could create a bicycle friendly atmosphere. Guard rails between the sidewalk and traffic lane could be used to improve safety on the bridge. Trees are blocking signage of businesses and a tree replacement should be started. Ms. Neuendorf stated that a water trail, placement of fishing and walking piers and boat and kayak docks will add to River recreation. Civic Center Park could serve as the City's central park around the Civic Center. The Task Force encourages the City to develop incentives for upper story residential renovations and to submit a letter of map revision to the DNR to remove properties from the 100 year flood plain. The Water Works Building could continue to house the hydro units but could also feature a restaurant or brewery. The Parks shop could also provide space for a public market area. Ms. Neuendorf reviewed priorities of Downtown Concept Plan. The letter of map revision cost is \$45,000. The Chamber submitted Façade Grants for three properties. Discussion followed on the park in back of the Big 6 and a plan for Downtown improvements.

3. **Resolution 12-108, A Resolution Approving an Agreement for Professional Services for the West Bremer Avenue Sidewalk Improvements.**

City Engineer Cherry informed Council that the DOT will be refurbishing the sidewalks on the Bremer Avenue Bridge and repaint the railing system. The West Bremer sidewalk improvements were identified to be done next year. The sidewalks could be the first project of the Downtown Concept Plan. The engineering agreement opens the dialogue with the Downtown businesses, Chamber and Council. Said sidewalk improvements will involve special assessments. Any delay in approving the project would move the project to 2014 construction. Other projects going on in 2014 are Dry Run Improvements, 4th Street SW, and 4th Street from Bremer Ave to 5th Ave NW. Discussion followed on the use of TIF funds for the sidewalks versus Downtown Concept Plan Priorities and whether the west side merchants want the sidewalks. The engineering work would identify the scope of the project and costs. A comparable assessment on Bremer Ave would be \$100 a lineal foot. Vaults were uncovered on the east side but it is not known if there are any on the west side. Jim Hundley and Rod Drenkow voiced concern with sidewalk assessments. City Administrator Crayne stated that he doesn't think the Council can make a sound decision on the limited information presented. The intent is to finish brick sidewalks along Bremer Ave. City Engineer Cherry informed Council that the trees are in need of replacement and storm sewer intakes can be done with this project.

Moved By: Lindell

Resolution 12-108, A Resolution Approving an Agreement for Professional Services for the West Bremer Avenue Sidewalk Improvements with Yaggy Colby Associates of Mason City, Iowa for an estimated amount of \$51,500.00 is hereby approved.

Moved By: Lieb

To table Resolution 12-108 until the next Council Meeting is hereby approved.

Yes: 76

No: 1(Lindell)

Absent: 0

4. **Resolution 12-109, A Resolution Approving Final Assessment Schedule for the Sidewalk Maintenance and Inspection Program 2011 & 2012.**

City Engineer Cherry informed Council that staff asked property owners to wait until the final assessments were figured. The final assessments were slightly lower than the preliminary assessments. Property owners that pay within 30 days get a \$50 discount. City Attorney Carney informed staff that they did not have to go through formal proceedings starting with a resolution of necessity and plat and schedule of assessments for the sidewalk maintenance program. Two properties were allowed to use grinding to bring their sidewalks into compliance. One-third of the property owners did not respond to letters and the City went in and reconstructed their sidewalks. On the August Study Session, staff will present the areas for the 2013 sidewalk maintenance program.

Moved By: Neuendorf

Resolution 12-109, A Resolution Approving Final Assessment Schedule for the Sidewalk Maintenance and Inspection Program 2011 & 2012 showing the preliminary estimate and final cost of the sidewalk repairs for

The City/County Evidence building is being constructed ahead of schedule.

Discussion also followed on the on-line broadcast of the Council Meeting. City Administrator Crayne informed Council that the end of Eagle Ridge road is the developer's responsibility to finish.

The upper floor of "The W" and Library are available for people to come and get relief from the heat.

H. ADJOURNMENT.

Moved By: Lieb

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 10:03 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk