

Regular Meeting Minutes  
September 10, 2012 ~ 7:00 p.m.

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on September 10, 2012, at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gene Lieb, Richard Lindell, Chris Neuendorf, Kathy Olson, Gary Boorum, and Tim Kangas. Absent: Dan McKenzie.

1. **Pledge of Allegiance.**

Mayor Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Councilmember Boorum led the 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: 6**

**No: 0**

**Absent:1**

4. **Minutes.**

**Moved By: Lindell**

The August 20, 2012 Council Meeting minutes as amended changing the wording of CSR to Corn Suitability Rating under Public Hearings and August 27, 2012 Council Meeting Minutes as amended by changing rapping to graveling under Visitors/Public Comments are hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

5. **Guest Councilperson.**

The Council welcomed Sherry Wagner as the guest councilperson for September.

**B. PUBLIC HEARINGS.**

1. This was the date, time and place for a Public Hearing Instituting Proceedings to Take Additional Action for the Authorization and Issuance of Not to Exceed \$700,000 Taxable General Obligation Bonds, Series 2012D. Fred Ribich of the Fair/Ball Diamond Group reviewed the history of Fair/Ball Diamond design concept, site selection and direction. The Fair and Ball Diamond groups are preparing to invest another \$20,000.00 in a fundraising campaign consultant. 275 young men and women are in youth ball groups in our community through their annual programs plus special events. The adult league serves over 450 men and women plus special events. The scope of the project was reduced to achieve more realistic goals for fundraising. Both groups are prepared to accept their responsibility to cover ongoing operations of their share of the project after completion. The first phase includes site preparation and readiness and providing facilities necessary to host events on the site. The cost of the first phase is estimated to be \$5.2 Million. Chris Knapp of the Bremer County Fair informed Council that the Fair had 450 and 500 youth from

Waverly and Bremer County presented 3,000 entries this year. 200 youth are in the Clovers that potentially can be 4-Hers. In addition there were 400 additional open entries from outside Bremer County. Mr. Ribich informed Council that the Fair will be operational on their new site before the lease expires on their present site. Mr. Ribich also informed Council that the Fair and Ball Groups are preparing a business plan for operations of the site. City Administrator Crayne informed Council that the land has 142 acres and has an option to acquire 60 – 90 acres before 12-31-12 and the remaining acres by December 31, 2016. The \$700,000 GO bonds and Recreational Capital Improvement Funding is for the purchase of 74 acres for the development of the first 60 acres. The City would be required to purchase the remainder of the land before 12-31-2016 at a cost of \$630,000. In doing the project the City should extend the Urban Renewal area along Highway 3. The first phase includes 20 acres for the Ball Fields and 40 Acres for the Fair. In the future there may be an opportunity to develop business sites on said land. The \$700,000 Bonds will be taxable bonds and allows for assistance for economic development projects. The Development Agreement includes repayment to the City of \$200,000 over 5 years from the Fair. County funding discussions were held on a \$120,000 contribution over 4 or 5 years. The lift station/force main would cost \$450,000. The entrance costs off Highway 3 may be approximately \$500,000. The City could apply for RISE funding for half of those costs. The total City obligation to the project could be \$1.8 Million.

**Moved By: Olson**

Resolution 12-144, A Resolution Instituting Proceedings to Take Additional Action for the Authorization and Issuance of Not to Exceed \$700,000 General Obligation Bonds, Series 2012D is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**C. VISITORS/PUBLIC COMMENTS.**

City Engineer Cherry informed Duane Liddle and audience members that there will be an opportunity for public input on the 4<sup>th</sup> Street SW and Dry Run projects held tomorrow evening at the Waverly Civic Center. The Comprehensive Plan identifies another north/south roadway west of the current City limits. Concerning downtown sidewalks City Administrator Crayne informed Dean Soash that the current City policy is where a property owner improves his/her sidewalk they must follow the City's Design Standards. If the property owner requests financial assistance, the City will participate in costs but under today's guidelines brick inlays. Mr. Soash received costs from his contractor of \$4,000 for concrete, \$5,000 for picture framing of the sidewalk and \$7,000 for brick inlays and concrete. City Engineer Cherry stated that it is not only reconstructing the sidewalk, it is to check other infrastructure under the sidewalk and trees. After discussion, Council understood that Dean Soash planned to go ahead to reconstruct the sidewalks in concrete.

**D. CONSENT AGENDA.**

1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for CDBG Flood Buyouts in the amount of \$4,623.42.
2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$149.55.
3. Pay Request from Snyder & Associates, Inc. for the 4<sup>th</sup> Street SW Project Development in the amount of \$2,000.00.
4. Pay Request from WHKS & Co. for the 16<sup>th</sup> Street SW Improvements in the amount of \$20,760.47.
5. Pay Request from Reilly Construction Co., Inc. for the GMT Railroad Spur in the amount of \$126,901.45.
6. Pay Request from Denver Underground & Grading for the 8<sup>th</sup> Street NE PRV & Water Main in the amount of \$65,328.65.
7. Pay Request from Baker Concrete & Excavating for the Citywide Pedestrian Ramp Reconstruction – 2012 in the amount of \$48,913.69.

**Moved By: Neuendorf**

Items 1 – 7 on the Consent Agenda are hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**E. REGULAR BUSINESS.**

1. **Resolution 12-145, 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.**

**Moved By: Kangas**

Resolution 12-145, 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 the \$2,955,000 General Obligation Bonds, Series 2012C is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

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

The bonds are taxable because there may be some private activity in the project that would not qualify said bonds to be tax exempt. This current issue is tax exempt because it is for sewer and water purposes.

**Moved By: Boorum**

The Tax Exemption Certificate for the \$2,955,000 General Obligation Bonds, Series 2012C is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Approval of Continuing Disclosure Certificate.**

**Moved By: Olson**

Continuing Disclosure Certificate for the \$2,955,000 General Obligation Bonds, Series 2012C is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

4. **Resolution 12-146, A Resolution Authorizing and Providing for the Issuance of \$2,955,000 General Obligation Bonds, Series 2012C, and Levying a Tax to Pay Said Bonds.**

The bonds will be abated by sewer and water revenues but if the revenues are not available to abate said bonds property taxes are due to pay for those bonds.

**Moved By: Lindell**

Resolution 12-146, A Resolution Authorizing and Providing for the Issuance of \$2,955,000 General Obligation Bonds, Series 2012C, and Levying a Tax to Pay Said Bonds is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**ADDENDUM**

4 A. **Resolution 12-151, A Resolution Approving a City/ Company Agreement between the City of Waverly, Iowa, and Carmi Flavor & Fragrance Co., Inc.**

Economic Development Director Matthias informed Council that Carmi Flavors is building a new warehouse behind Network Controls in the northwest Business Park. Mr. Matthias stated that the standard rebatement grid system is based upon net new incremental value and new employees and was approved by the Economic Development Commission. The grid system is just a strategy and may be adjusted to a specific project.

**Moved By: Neuendorf**

Resolution 12-151, A Resolution Approving a City/ Company Agreement between the City of Waverly, Iowa, and Carmi Flavor & Fragrance Co., Inc. with the company constructing a new 34,300 square foot facility in NW Waverly is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

5. **Award Bid for Two Cab & Chassis for Two 2013 Model Trucks with Single Rear Axle.**

Public Services Superintendent Sullivan informed Council that the two cab & chassis are to replace two 2000 year dump trucks.

**Moved By: Boorum**

Award Bid for Two Cab & Chassis for Two 2013 Model Trucks with Single Rear Axle to Don's Truck Sales of Fairbank, Iowa for the amount of \$200,570.00 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 0**

6. **Resolution 12-147, A Resolution Finalizing the 12<sup>th</sup> Street NW Resurfacing 2012 Project and Approving Final Payment.**

**Moved By: Olson**

Resolution 12-147, A Resolution Finalizing the 12<sup>th</sup> Street NW Resurfacing 2012 Project and Approving Final Payment to Heartland Asphalt, Inc. of Mason City, Iowa in the amount of \$13,535.84 is hereby approved.

**Yes:6**

**No:0**

**Absent: 0**

7. **Resolution 12-148, A Resolution Approving a Professional Services Agreement Between the City of Waverly and Stanley Consultants for the Cedar River – FEMA Letter of Map Revision (LOMR).**

City Engineer Cherry informed Council that with the completion of the Waverly Dam Reconstruction the 100-year flood plain caused by the Cedar River may be eliminated. The next process is to get approval from FEMA of the City's letter of map revision. With the LOMR several dozen businesses and property owners will benefit from the revision. The City is currently identifying projects on the dry run creek that would allow the City to eliminate the 100-year dry run creek flood plain. The City will still see overlapping 500 year flood plains. Mr. Cherry also informed Council that the LOMR will be submitted later this year and hope to receive verification from FEMA in spring or early summer.

**Moved By: Kangas**

Resolution 12-148, A Resolution Approving a Professional Services Agreement Between the City of Waverly and Stanley Consultants for the Cedar River – FEMA Letter of Map Revision (LOMR) for a Not-to-Exceed amount of \$41,550.00 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

8. **Pay Request from Blacktop Services Co., d/b/a Steffes Construction, Inc. of New Hampton, Iowa for the 2012 Bituminous Seal Coat Program.**

**Moved By: Lindell**

Pay Request from Blacktop Services Co., d/b/a Steffes Construction, Inc. of New Hampton, Iowa for the 2012 Bituminous Seal Coat Program in the amount of \$97,077.63 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

9. **Approve Change Order No. 1 for the 2012 Bituminous Seal Coat Program.**

**Moved By: Neuendorf**

Approve Change Order No. 1 for the 2012 Bituminous Seal Coat Program the final adjustment of quantities is for a net decrease of \$13,719.35 to the contract sum is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

10. **Resolution 12-149, A Resolution Finalizing the 2012 Bituminous Seal Coat Program and Approving Final Payment.**

**Moved By: Olson**

Resolution 12-149, A Resolution Finalizing the 2012 Bituminous Seal Coat Program and Approving Final Payment to Blacktop Service Co. d/b/a Steffes Construction, Inc. of New Hampton, Iowa in the amount of \$5,778.78 is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

11. **Approve New Sidewalk Repair Districts for the Citywide Sidewalk Maintenance and Reconstruction Program.**

City Engineer Cherry informed Council that Leisure Services Director Ray and Police Chief Pursell are working on sidewalk gaps for Safe Routes to

Schools and Destinations. The Council will have to identify areas and prioritize sidewalk projects in conjunction with the Sidewalk Maintenance and Reconstruction Program during budget time. Planning & Zoning Commission will be presenting to Council a sidewalk gap policy at a future Council meeting. Mr. Cherry stated that the Sidewalk Maintenance and Reconstruction Program districts are identified in the Public Works Fall Newsletter. Direct mailings to affected property owners go out in early spring.

**Moved By: Lindell**

New Sidewalk Repair Districts for the Citywide Sidewalk Maintenance and Reconstruction Program amending original sidewalk repair Zones 1 – 4 to the new sidewalk repair Zones 1 – 7 is hereby approved.

**Yes: 6    No: 0    Absent: 1**

12. **Resolution 12-150, A Resolution Awarding Project for the 703 Crestwood Avenue Demolition 2012.**

The land was acquired to provide for the future sanitary sewer collection improvements at the Main Lift Station.

**Moved By: Lindell**

Resolution 12-150, A Resolution Awarding Project for the 703 Crestwood Avenue Demolition 2012 to Benton’s Sand & Gravel, Inc. of Cedar Falls, Iowa in the amount of \$9,580.00 is hereby approved.

**Yes: 6    No: 0    Absent: 1**

13. **Mayoral Appointments.**

**Moved By: Neuendorf**

The Mayoral Appointments of Clark Wilharm to the Golf Commission and Dan Beeken to the Economic Development Commission are hereby approved.

**Yes: 6    No: 0    Absent: 1**

**F. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

Historic Preservation Commission Minutes – discussion on signage about the history of the Waverly Dam at the south end of Kohlmann Park.

2. **Reports.**

3. **Communications.**

Economic Development Director Matthias informed Council that the Incubator Board has decided to place an ad in the newspaper for a part-time Incubator Director. The Director will be at the Chamber working with the Chamber Director. The funds are from the Waverly Area Development Fund and the Bremer County Foundation. The Incubator Program is to provide community-centered, coordinated support and mentoring for those who wish to start new business or non-profit ventures. City Administrator Crayne stated that at the next meeting the Council will review the Strategic Planning documents of July and August. Also the Council will review a Capital Project Financing Plan. Steve Dust of the Cedar Valley Alliance and Chamber will review the five year regional support of the Cedar Valley Economic Development Plan.

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

Councilmember Olson reviewed the City Administrator search process. Brimeyer Fursman LLC. are in the process of receiving applications. On October 1<sup>st</sup> the City Council will be involved with narrowing the pool down to five candidates. On October 12<sup>th</sup> and 13<sup>th</sup> selected candidates will be in the community interviewing. The public can provide input at the Library on Friday, October 12<sup>th</sup> at 5:30 P. M. On October 13<sup>th</sup> the candidates will be interviewed by the Council, Department Heads and by a Community group. There will be a special Council meeting on October 13<sup>th</sup> to name the person of choice. Brimeyer, Fursman LLC. will send the Council packets of resumes before October 1<sup>st</sup> and will discuss salary framework. The firm will also prepare interview questions.

The Evidence Building is almost complete and operational in 30 to 60 days.

Administrator Crayne informed Council that Community Development and Zoning Specialist will be providing a report to Council on rental housing. City Engineer Cherry informed Council that the west Water Tower has lettering, the lettering of the east tower and north tower have started. The north and the east towers will be painted inside.

The 6<sup>th</sup> Avenue Lift Station is wrapping up and street patching and restoration should be completed by next week. The Ridgewood Boulevard Lift Station should be finalized in the next couple of weeks.

Discussion followed on the flashing pedestrian light at 4<sup>th</sup> Street and 5<sup>th</sup> Avenue SW and the sign on east Bremer for the trail crossing..

Guest Councilperson Sherry Wagner voiced concern with property taxes.

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 8:41 P. M.**

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**Gary Boorum, Mayor-ProTem**

**Attest:**

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**Jo-Ellen Raap, City Clerk**