Regular Meeting Minutes
November 19, 2012; 7:00 p.m.

CALL TO ORDER.

The regular meeting of the Waverly City Council was held on November 19, 2012, at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorom, Kathy Olson, Gene Lieb, Dan McKenzie, Tim Kangas, Wes Gade and Chris Neuendorf. Absent: None.

1. **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.

   Moved By: Boorom
   To amend agenda by striking items no. 2 & 8 under Regular Business.
   Yes: 7 **No: 0** **Absent: 0**
   That the agenda for this Council meeting as amended is hereby approved.
   Yes: 7 **No: 0** **Absent: 0**

2. **Minutes.**

   Moved By: Olson
   The November 5, 2012 Regular Session Council Meeting Minutes are hereby approved by replacing the word "troop" to "pack" under Pledge of Allegiance.
   Yes: 7 **No: 0** **Absent: 0**

3. **Swearing in Third Ward Councilmember Wes Gade.**

   New City Administrator Phil Jones gave the Oath of Office to Wes Gade, Third Ward Councilmember.

B. VISITORS/PUBLIC COMMENTS.

Leisure Services Director Ray informed Duane Liddle that staff will install the flag posts and landscape along the reconstructed Cemetery roads.
Mayor and Council also informed Mr. Liddle that the City wants highly trained staff to make sure all operations run smoothly. The City has to comply with required training.
Public Services Superintendent Sulllivan informed Council the Yardwaste site is open until December 1st. Public Services will be closed Thursday and Friday and garbage pickup for Thursday will be on Wednesday and Friday pickup will be on Monday. The Yardwaste Site had record numbers last Saturday.
Dick Crayne's Retirement Reception will be November 29th 1:30 – 3:30 P. M.

C. TABLED ITEMS.

Resolution 12-155, A Resolution Finalizing the 8th Street NE Water Loop & PRV 2012 and Approving Final Pay Request.

Moved By: Neuendorf
To table Resolution 12-155 until the project is completed is hereby approved.
Yes: 6 **No: 0** **Third Ward Seat Vacant**

Moved By: Neuendorf
To remove Resolution 12-155 from the table is hereby approved.
Yes: 7 **No: 0** **Absent: 0**

Moved By: Boorom
Resolution 12-155, A Resolution Finalizing the 8th Street NE Water Loop & PRV 2012 and final pay request in the amount of $8,314.55 is hereby approved.
Yes: 7 **No: 0** **Absent: 0**

D. CONSENT AGENDA.

1. Pay Request from Staab Construction Corp. for the Final Clarifier Improvements 2012 for the amount of $117,488.40.
2. Pay Request from Tschiggfrie for the Lift Station Improvements for the amount of $232,367.06.
3. Pay Request from Mc Clure Engineering for the Waverly Airport Land Acquisition Phase 1 for the amount of $1,982.50.
4. Pay Request from Snyder & Associates, Inc for the 4th Street SW Project Development for the amount of $4,789.00 – Pay request included participation and work on the open houses and project concept. The next step will be an update with the City Council on the corridor design and to move forward with seeking funding.
5. Pay Request from INRCOG for the CDBG Buyouts in the amount of $4,403.53.
6. Pay Request from INRCOG for the CDBG Dam Project for the amount of $97.82.
7. Pay Request from INRCOG for the EDA Dam Project for the amount of $198.36.

Moved By: McKenzie

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

Yes: 7 No: 0 Absent: 0

E. REGULAR BUSINESS.

1. **Approval to Proceed with an Iowa CDBG Downtown Revitalization and the Multi Family Rental Unit Production Round 5 Program Grant Applications.**

Emily Neuendorf of the Waverly Chamber wanted Council's approval to proceed on grant applications on two initiatives of the Downtown Concept Plan. The initiatives were the Downtown Façade Program and Upper Story Renovation. The Iowa Downtown Revitalization Program provides grants for exterior work on private facades with a public easement. The City would apply for $500,000 grant from the State with 25% match from the City's TIF and with 25% from property owners. The State expects 20 applications and estimates 9 awards. Businesses in the 100 year flood plain cannot apply for the grant. IEDA has informed Ms. Neuendorf that the City should apply even though the LOMR revision will not be completed before the March application deadline. Rear façades can be a part of the application. CDBG Disaster Recover Housing Funds provide financial assistance for the Multi-Family (Rental) Unit Production – New Construction – Round 5. Round 5 focuses on redevelopment of vacant upper stories in downtown districts, through the "adaptive reuse" definition. Round 5 also includes renovation of non-residential use structures into residential use structures. Funding is a forgivable loan (non-receding), forgiven in full at the end of a compliance period. 51% of all rental units in the project shall be made available to and occupied by a low and moderate tenants and are for a 10-year period for projects containing 12 or more units and a 5-year period for projects 12 units or less. $30 Million is available for this round and $12 Million will be designated for cities under 50,000. The maximum per project cap limitation is $3 Million. Discussion followed on 100 year flood plain properties. Currently the Chamber has three properties that are interested in applying for said grants. The Chamber will hold an open house and inform all downtown property owners of both programs. Snyder & Associates will be presenting the LOMR application for Council approval in mid-December or early January.

Moved By: Boorom

To proceed with the Iowa CDBG Downtown Revitalization and the Multi Family Rental Unit Production Round 5 Program Grant Applications are hereby approved.

Yes: 7 No: 0 Absent: 0

2. **Review of the New Pay Equity Study and Employee Handbook.**

This item was removed from the agenda.

3. **Resolution 12-161, A Resolution Approving an Agreement for Preparation of the Acquisition Plat for Champion's Ridge Fairground and Ball Diamond Complex Phase 1.**

City Engineer Cherry stated that Council has to approve the purchase of the property by the end of the year and 30 days to close and pay for the land as part of the agreement. In order to move forward with the project a plat and legal description have to be prepared. Fred Ribich of the Fairground and Ball Diamond group informed Council that the group is involved in fundraising development. David Joachim stated that he needs to know what are the boundary limits of said property and would be interested in farming said land if development does not occur. As part of the agreement, Snyder & Associates will set property pins.

Moved By: Kangas

Resolution 12-161 , A Resolution approving an agreement with Snyder & Associates for the lump sum fee of $1,300.00 for preparation of the acquisition plat for Champion's Ridge Fairground & Ball Diamond Complex-Phase 1 hereby approved.

Yes: 7 No: 0 Absent: 0

4.. **Resolution 12-162, A Resolution Proposing the Sale and Conveyance of City property to Sherri A. and Jim K. Kayser and Setting a Public Hearing Date.**

Leisure Services Director Ray informed Council that the property is 15,000 square feet that is in the flood plain. The Kayser's are neighbors to Brookwood Park. The sale funds would be used for plantings in the park.

Moved By: Olson

Resolution 12-162, A Resolution Fixing Date of December 3, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers on the sale and conveyance of City property to Sherri A. and Jim K. Kayser is hereby approved.

Yes: 7 No: 0 Absent:0

5. **First Reading of Ordinance 963, An Ordinance Amending the Zoning Ordinance of the Waverly, Iowa Providing for the Rezoning of the Lampe Property along 10th Ave. SW and Setting a Public Hearing Date.**

Council discussed the Planning & Zoning recommendation of a two story limitation in the R-4 zone of the Lampe property. Community Development and Zoning Specialist Kohout informed Council that the Lampe's wanted to continue the present R-4 zoning and rezone the frontage property to C-2 on 10th Ave. SW. The Comprehensive Land Use Plan shows the property as a mixed use zoning. The landowners east of the property wanted a better transition instead of a large three story apartment complex. Dan Grimes of Turn Key Associates informed Council that the proposed housing are townhouses in a two or four-complex.

Moved By: Kangas

First Reading of Ordinance 963, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa providing for the Rezoning of the Dan and Judy Lampe Property along 10th Ave. SW from A-1, Agricultural District to R-4, Multi-Family Transitional District and C-2, Commercial District and R-4, Multi-Family Transitional District to C-2, Commercial District is hereby approved and sets December 3, 2012 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers for a public hearing.

Yes: 6 No: 1 (Lieb) Absent: 0

6. **First Reading of Ordinance 964, An Ordinance Amending Chapter 100 for Non-Conforming Building Yard Setbacks**

Mr. Pete Lampe of Board of Adjustment stated that the ordinance amendment is to simplify restoring of damaged structures for citizens at their same setback. After discussion, Council asked that "existing footprint" be added to the amendment language.

Moved By: Boorom

First Reading of Ordinance 964, An Ordinance Amending Chapter 100 for Non-Conforming Building Yard Setbacks is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

7. **Approve Change Order No. 1 for the Sanitary Sewer Lift Station Improvements 2012.**

City Engineer Cherry informed the Council that the change order was a final adjustment of quantities and the project should be completed soon.

Moved By: McKenzie

Change order No. 1 from Tschiggfrie Excavating for the decreased amount of $1,850.20 for the Sanitary Sewer Lift Station Improvements 2012 is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

8. **Resolution 12-160, A Resolution Approving a Memorandum of Understanding with INRCOG to Write and Submit a DNR Work Crew Assistance Grant.**

The item was removed from the agenda.

9. **Resolution 12-163, A Resolution Finalizing the 703 Crestwood Avenue Demolition 2012 and Approving Final Pay Request.**

The Main Sanitary Sewer Lift Station is currently bounded by the floodway and a FEMA buyout. The purchased property could be used for future improvements at the Main Lift Station. The property could now be used as a parking lot and trailhead.

Moved By: Olson

Resolution 12-163 , A Resolution Finalizing the 703 Crestwood Avenue Demolition 2012 and the final pay request from Benton's Sand & Gravel for $9,580.00 is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

10. **First Reading of Ordinance 965, An Ordinance Adopting the "City Code of Waverly, Iowa."**

This action takes all the ordinances passed during the year and incorporates them into the City Code.

Moved By: Neuendorf

First Reading of Ordinance 965, An Ordinance Adopting the "City Code of Waverly, Iowa" is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

11. **Award Bid for Fiberglass Service Body to be Mounted on the 2013 Ford F250 4X4 Pickup Chassis**

Moved By: Boorom

The bid from Don's Truck Sales of Fairbank for the fiberglass service body to be mounted on the 2013 Ford F250 4X4 Pickup Chassis for $11,925 is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

12. **Approval of Budget Schedule.**

Moved By: Neuendorf

The Budget Schedule is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

13. **Approval of October Cash Disbursements**.

There were building problems at the Fire Station that the contractor tried to solve and the problems continued. The City hired a private firm to inspect and suggest repairs. The original contractor will fix the building problems. Staff will review travel policies and the Centennial Oaks Golf Club Economic Development Assistance Contract and report back to Council.

Moved By: McKenzie

The October Cash Disbursements are hereby approved.

Yes: 7 **No: 0** **Absent: 0**

14. **Mayoral Appointments.**

Moved By: Boorom

The Mayoral Appointments of Richard Lindell to the Airport Commission is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

F. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Civil Service Commission – Police Chief Pursell informed Council that the Department conducted testing last month and interviews last week and have started background investigation of candidates. The Department will conduct the second round of interviews the beginning of December and then hire the new officer.Chief Pursell also stated that through the budget process the department discusses personnel with the City Administrator. Calls for service are for 24/7 with a two officer minimum. If there was an expansion of officers it would have to be approved by Council. City Administrator Phil Jones stated that staff is always ready to review the current structure and look at today's needs.

Hazard Mitigation/River Use Commission – Kevin Blanshan from INRCOG informed staff that the City will get a work crew from the DNR on water trail development. Said crew will look for signage, location of signage, accesses, and parking lots. There is no cost to write the grant. The DNR has a budget for said improvements.

Discussion followed on housing and update from Commissions.

2. **Reports.**
3. **Communications.**

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

City Administrator Phil Jones reviewed next Council agenda items.

The ambulance is being repaired and repair costs will come to Council.

There is an open work session with the Council and Phil Jones tomorrow.

There was 125 walkers on the Moonlight Walk on the trail.

Saturday is Small Business Saturday.

Leisure Services Director Ray informed Council that water trail benefits are that rules would be established and enforced, develop signage for safety and access, and recognition of facilities. The Iowa Water Trails Map would be free marketing and tourism for Waverly.

Community Development and Zoning Specialist Kohout informed Guest Councilperson Hollis Hanson-Pollock that at the Study Session Council will discuss a proposal to create a position for code enforcement of rental properties. Ms. Hanson – Pollock stated that she has had feedback from Wartburg students regarding housing.

H. ADJOURNMENT.

Moved By: Boorom

That the City Council Meeting be adjourned.

Yes: 7 **No: 0** **Absent: 0**

Council adjourned at 8:35 P. M.