

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on January 7, 2013, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Kathy Olson, Gene Lieb, Dan McKenzie, Wes Gade, Chris Neuendorf, Gary Boorum and Tim Kangas. Absent: None.

1. **Pledge of Allegiance.**

Boy Scout Pac 748 led the Council in the Pledge of Allegiance.

2. **Prayer.**

Scout Leader Mr. John Winter prayed for the 2013 Council. Mr. Garner informed the Council that anyone can use the COPE Course at the Camp Igwanas. The new Course will be ready by Spring.

3. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Olson

That the agenda for this Council meeting as amended by moving Item 8 under Regular Business to Item 2 is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Lieb

The December 17, 2012 Council Meeting Minutes and the November 20, 2012 Work Session Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Jeff Their as the Guest Councilperson for January.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing on a vacation of a 30 foot wide City Storm Sewer Easement along the west side of property at 1300 4th St. NW in NW Waverly. The Mayor called for any oral or written comments and there were none. The hearing was closed and the following action was taken.

Moved By: Boorum

Resolution 13-01, A Resolution Authorizing the vacation of a 30 foot wide City Storm Sewer Easement along the west side of property at 1300 4th St. NW in NW Waverly is hereby approved.

Yes:7

No: 0

Absent: 0

2. This was the date, time and place for a public hearing on a resolution authorizing and approving a Loan Agreement and providing for the issuance and securing the payment of Hospital Revenue Refunding Bonds (Waverly Health Center Project), Series 2013. The Mayor called for any written comments and there were none. Kyle Richards of the Waverly Health Center informed Council that the new rate for the bonds will save the Health Center \$686,000 and the bonds will be paid back one year earlier. City Administrator Jones informed Council that there is no obligation to the City for said bonds. The following action was taken.

Moved By: Kangas

Resolution 13-02, A Resolution Authorizing and Approving a Loan Agreement and providing for the issuance and securing the payment of Hospital Revenue Refunding Bonds (Waverly Health Center), Series 2013 is hereby approved.

Yes: 7

No: 0

Absent: 0

C. VISITORS/PUBLIC COMMENTS.

Duane Liddle encouraged citizens and public officials to sign up for the Police Academy. Applications are on-line or call the Police Department.

D. CONSENT AGENDA.

1. Pay Request from McClure Engineering, Co. for the Waverly Airport Land Acquisition Phase 1 in the amount of \$815.00.
2. Pay Request from AECOM for the Construction Review Services for the GMT Railroad Spur Line for GMT Corporation in the amount of \$321.03.
3. Pay Request from WHKS & Co. for the 2012 Water Tower Painting-Construction Phase for the amount of \$43,021.88.
4. Pay Request from INRCOG for CDBG Buyouts for the amount of \$1,714.45.
5. Pay Request from INRCOG for the EDA Dam Project for the amount of \$373.39.
6. Class C Liquor License for East Bremer Diner.
7. Class C Liquor License for Big Ben Pour House.

Moved By: Gade

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

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Resolution 13-03, A Resolution Approving the Extension of the Golf Pro Shop Management Agreement.**

Leisure Services Director Ray informed Council that in the current contract there was an optional 3rd year. This contract is for 12 months. The Commission and staff are recommending approval of said contract.

Moved By: Boorum

Resolution 13-03, A Resolution Approving the Extension of the Golf Pro Shop Management Agreement with G3 Golf LLC FY2013 for a pay schedule of \$3,076 monthly and the FORE point of sale system will be expanded to include a second license so that inventory control is used is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Review of the City of Waverly 2012 Audit.**

Jeff Peters of Williams & Co. informed Council that effective January 1, 2013 the American institute of CPA's Auditing Standards Board clarified Audit standards on auditor disclosures. With Budget Circular A-133 if the City expends \$500,000 of Federal money, the auditors have to conduct another testing and compliance and internal controls for said grant money. The Federal government is looking at increasing the \$500,000 limit. Waverly Health Center and Waverly Light & Power conduct their own audits but they are components of the City and are included in the audit. Mr. Peters reviewed the City's financial statements, balance sheet and fund balances. Mr. Peters also informed Council that the general fund balance is \$2,007,963 and is equivalent to 110 days of expenses and said fund balance is very good. The debt service fund has a balance of \$2,168,236 to pay off the old bonds held in trust until their call date. Mr. Peters stated that the City has a lot of projects. Mr. Peters also reviewed the City's government wide net assets and how the City's financial growth has increased over the last nine years. The City has received over \$4,000,000 in Federal awards. The \$4,000,000 in grants included the dam project and the flood buyouts. Mr. Peters credited staff in applying for grants for different projects. The State of Iowa requires every government continue to offer health care insurance at the employees' cost after they retire but before they go on Medicare and all active employees contribute to retirees remaining on the City's insurance. It is not additional cost to the City. \$90,000 was taken from the Solid Waste fund to repay the Industrial Plaza account for the Recycling facility and \$106,000 for Solid Waste equipment. There are a lot of capital projects but they are paid off regularly. Mr. Peters again emphasized that the City is fiscally sound. The State Legislature is discussing TIF this session. City Administrator Jones informed Council that when he was looking at City financials during the interview process and he was very impressed with the quality of City financials and thanked Finance Director Bachhuber on his fiscal management.

3. **Approve the 5-year Airport Capital Improvement Program for Federal FY 2014-18.**
The Program is a planning guide for the State and Federal Government to see what the needs are for Iowa airports. City Engineer Cherry informed Council that the Airport Runway is in said program because it is nearing the end of its useful life and needs to be reconstructed. Measures for the runway extension are moving forward. The FAA wanted the City to separate the Runway Extension project from the Runway Reconstruction project. Mr. Cherry informed Council that if a project is not identified on the CIP it would be hard to get the FAA to consider a new project. Waverly has one of the shortest runways in Iowa. Other communities are investing in their airports as an economic tool.

Moved By: Olson

The 5-year Airport Capital Improvement Program for Federal FY 2014-18 is hereby approved.

Yes: 7 No: 0 Absent: 0

4. **Resolution 13-04, 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 HMGP Acquisition and Demolition Project to Determine if the Property has Materials Containing Asbestos.**

Community Development & Zoning Specialist Kohout informed Council that City Attorney Bill Werger was able to purchase the last HMGP flood property for demolition. Mr. Werger stated it was very difficult to purchase said property because it was a short sale and there were liens on the property.

Moved By: McKenzie

Resolution 13-04, 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 HMGP Acquisition and Demolition Project to Determine if the Property has Materials Containing Asbestos.

Yes: 7 No: 0 Absent: 0

5. **Resolution 13-05, A Resolution Appointing Paying Agent, Bond Registrar and Transfer Agent and Authorizing the Execution of the Agreement for \$700,000 Taxable General Obligation Bonds, Series 2013A.**

Moved By: Neuendorf

Resolution 13-05, A Resolution Appointing Paying Agent, Bond Registrar and Transfer Agent and Authorizing the Execution of the Agreement for \$700,000 Taxable General Obligation Bonds, Series 2013A is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Approval of Continuing Disclosure Certificate for \$700,000 Taxable General Obligation Bonds, Series 2013A.**

Moved By: Gade

The Continuing Disclosure Certificate for \$700,000 Taxable General Obligation Bonds, Series 2013A is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Resolution 13-06, A Resolution Authorizing and Providing for the Issuance of \$700,000 Taxable General Obligation Bonds, Series 2013A and Levying a Tax to Pay for Said Bonds.**

Moved By: Olson

Resolution 13-06, A Resolution Authorizing and Providing for the Issuance of \$700,000 Taxable General Obligation Bonds, Series 2013A and Levying a Tax to Pay for Said Bonds is hereby approved.

Yes: 7 No: 0 Absent: 0

8. **First Reading of Ordinance 966, An Ordinance Amending Chapter 100.7 Including Boarding House as Special Provisional Use in R-2.**

Community Development & Zoning Specialist Kohout informed Council that the Planning and Zoning Commission did not think that a boarding house application should be considered in a single family (R-1) district. The Commission felt it could be accommodated in an R-2 district after a special provisional use process. Staff will correct the amendment language to R-2 District.

Moved By: Kangas

First Reading of Ordinance 966, An Ordinance Amending Chapter 100.7 Including Boarding House as Special Provisional Use in R-2 is hereby approved.

Yes: 7 No: 0 Absent: 0

9. **Approve Change Order No. 4 for the Water Tower Painting Improvements 2012.**

Moved By: Boorum

Change Order No. 4 for a decreased amount of \$3,500 to Maguire Iron for the Water Tower Painting Improvements 2012 is hereby approved.

Yes: 7 No: 0 Absent: 0

10. **Resolution 13-07, A Resolution Finalizing the Water Tower Painting Improvements 2012 and Approving Final Pay Request.**

Moved By: Olson

Resolution 13-07, A Resolution Finalizing the Water Tower Painting Improvements 2012 and Approving Final Pay Request in the amount of \$27,560 to Maguire Iron Inc. of Sioux Falls, South Dakota is hereby approved.

Yes: 7 No: 0 Absent:0

11. **Resolution 13-08, A Resolution for the Amending the Option to Purchase Real Estate from Neil Smith, Jr.**

City Attorney Werger informed Council that the legal descriptions are now being platted into two different parcels, one that the City is purchasing now and one that the City has to purchase in the future per the option agreement. City Administrator Jones stated that the lease with David Joachim to farm said property will be coming to Council in February.

Moved By: McKenzie

Resolution 13-08, A Resolution for the Amending the Option to Purchase Real Estate from Neil Smith, Jr. to correct an error in the legal description of the original option to purchase real estate entered into between the City and Neil Smith is hereby approved.

Yes: 7 No: 0 Absent: 0

12. **Approval of Council Liaisons to the Boards and Commissions.**

Moved By: Neuenforf

The Council Liaisons to the Commissions below are hereby approved:

| Commission or Board | Council 2012-13 | Additional |
|--|------------------------|-------------------|
| CABLE TELECOMMUNICATIONS COMMISSION | Chris Neuendorf | Bob Brunkhorst |
| MUNICIPAL HOUSING COMMISSION | Chris Neuendorf | Bob Brunkhorst |
| ECONOMIC DEVELOPMENT COMMISSION | Dan McKenzie | Bob Brunkhorst |
| WAVERLY SENIOR CENTER | Dan McKenzie | |
| ELECTRIC UTILITY BOARD OF TRUSTEES | Gary Boorum | |
| PUBLIC SAFETY BOARD - <i>voting member</i> | Gary Boorum | |
| VETERANS TRIBUTE | Gary Boorum | |
| WAVERLY HERITAGE DAYS | Gary Boorum | |
| HAZARD MITIGATION - RIVER USE COMMISSION | Gene Lieb | Bob Brunkhorst |
| WAVERLY CHAMBER OF COMMERCE | Gene Lieb | |
| WAVERLY MUNICIPAL BAND | Gene Lieb | |
| WAVERLY PUBLIC LIBRARY BOARD | Gene Lieb | |

AIRPORT COMMISSION
HISTORIC PRESERVATION COMMISSION
PUBLIC SAFETY BOARD - *voting member*
GOLF COURSE COMMISSION
LEISURE SERVICES COMMISSION
W - ADVISORY BOARD - *voting member*
PLANNING AND ZONING COMMISSION
ZONING BOARD OF ADJUSTMENTS

Kathy Olson
Kathy Olson
Kathy Olson
Wes Gade
Wes Gade
Wes Gade
Tim Kangas
Tim Kangas

Yes: 7

No: 0

Absent: 0

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Economic Development Commission Minutes-working on new business park.
Planning & Zoning Commission is to schedule a work session to look at plans and goals in the form of suggestions and recommendations on roadway corridor development standards along major thoroughfares in the community. Community Development and Zoning Specialist Kohout stated that the Commission should discuss form based zoning standards and corridor overlay district establishments at a work session. There will be a work session in March to discuss the Commissioner's role and interaction with Council.

2. Reports.

3. Communications.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

City Administrator Jones reviewed Council agenda items for the next meeting.

Mr. Jones stated that there is a meeting at 5:30 P. M. on Wednesday with Jim Thompson of Main Street Iowa. The Waverly Chamber and City staff will meet with Mr. Thompson earlier in the day to discuss grant opportunities for downtown.

The Council will discuss parking vehicles on the grass in residential areas at their January Study Session.

The Amphitheatre in Kohlmann Park will be voted on at the February 4 meeting. The Council will also discuss vibration of the dam at the Study Session. Leisure Services Director Ray informed Council that if the department receives a snow removal complaint it is documented and owners are contacted by phone to tell them they are in violation of the code regarding cleaning of sidewalks and if said owner does not clean their sidewalk the City would contract out said removal.

The Council discussed the one-time transfer from the Cedar Falls TIF District to their General Fund, County and School District.

Police Chief Pursell informed Council and Guest Councilperson Jeff Their that the Police post a ticket on a car that is parked on a snow route during snowy weather.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:44 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk