

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on February 4, 2013, at 7:00 p.m. in the Council Chambers at City Hall.

Mayor Brunkhorst presided. Council members present: Gene Lieb, Dan McKenzie, Wes Gade, Chris Neuendorf, Gary Boorum, Kathy Olson and Tim Kangas. Absent: Gary Boorum

1. **Pledge of Allegiance.**

Boy Scouts from Pack #748 led the Council in the Pledge of Allegiance.

2. **Prayer.**

Andrew Smith from Pack #748 said a prayer for the 2013 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.

City Administrator Jones informed Council that there is discussion of whether the Bandshell is considered a structure or piece of art and based on said definition there would be different setback requirements. The Council discussed removing the Bandshell items from the agenda to gather more information on the setbacks before making a final decision. Council also apologized to audience members for delay of a vote. The Mayor requested that the architect and audience members present for the Bandshell agenda item to adjourn to the Civic Center and discuss project plans with the architect.

Moved By: Kangas

To strike Items 3 and 4 under Regular Business is hereby approved.

Yes: 4

No: Gade, Neuendorf Absent: 1

Moved By: Gade

To strike Item 1 under Regular Business is hereby approved.

Moved By: 6

No: 0

Absent: 1

The agenda as amended is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Minutes.**

Moved By: Neuendorf

The January 21, 2013, January 26, 2013, and January 28, 2013 Council Meeting Minutes are hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Guest Councilperson.**

The Council welcomed Guest Councilperson Adam Folkerts for February.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing for the AmVets Area Riverbank Restoration 2013. The Mayor called for any oral or written comments and there were none. City Engineer Cherry informed Duane Liddle that all debris and concrete below the old AMVETS Building will be removed. There will still be a 600' gap that is owned by the AMVETS that has not been restored.

Moved By: McKenzie

Resolution 13-11, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for the AmVets Area Riverbank Restoration 2013 with estimated project costs of \$110,000 is hereby approved.

Yes: 6

No: 0

Absent: 1

2. This is the date, time and place for Citywide Pedestrian Ramp Reconstruction 2013 Project. The Mayor called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Neuendorf

Resolution 13-12, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Costs for Citywide Pedestrian Ramp Reconstruction 2013 Project with estimated project costs of \$425,000 is hereby approved.

Yes: 6

No: 0

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Hank Bagelmann informed Council that the Planning & Zoning Commission will conduct a public hearing on Rental Ordinance Amendment considerations this Thursday, February 7th. Mr. Bagelmann wanted to invite interested citizens. A report to Council on all public comments received will be submitted as part of an ordinance amendment proposal following review and recommendation of the Planning & Zoning Commission.

There will be a meeting with the inflatable dam manufacturer to try and find a solution to the vibration sound coming from the dam.

Council informed Vickie Green that an item may be brought back to Council after 6 months by a Councilperson for reconsideration. No more than 3 Councilmembers can discuss City business at one time to be compliant with open meetings law. The project engineer and staff review setbacks when they are working on a project. Ms. Green voiced concerns with Council and staff collaboration. Council stated that it is rare when an item is removed from the agenda at a Council meeting.

John Campbell voiced concerns with removal of items 3 and 4 under Regular Business relating to the Amphitheatre in Kohlmann Park. Mr. Campbell questioned if the City would insure and maintain said structure. Council informed Mr. Campbell that the Leisure Services Commission had discussed rental policy to coincide with the approval of the Amphitheatre. Staff has always considered the Amphitheatre a sculpture which requires no setback.

Staff informed Dean Soash that long term parking is prohibited on flood buyout lots per City Council.

D. CONSENT AGENDA.

1. Pay Request from Snyder & Associates, Inc. for the Bremer County Fairgrounds Plat of Survey (Champions Ridge) in the amount of \$1,800.00.
2. Class C Liquor License for Applebees Neighborhood Grill & Bar.
3. Ownership Update for Applebee's Neighborhood Grill & Bar.

Moved By: Kangas

Items 1 – 3 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

E. REGULAR BUSINESS.

1. **Review 2013 Goals for the Heritage Days Committee.**

Was removed from the agenda.

2. **Review 2013 Goals for the Hazard Mitigation and River Use Commission.**

Mark Schloemer reviewed goals from last year including Snow Fest and two river cleanup days. In 2013 the Hazard Mitigation and River Use Commission's goals are to review Cedar River Letter of Map Revision, to update the City's Hazard Mitigation Plan and combine the City's mitigation plan with Bremer County, signage on the water trail, oversee the Dry Run project and river enhancement. The Commission meets every quarter on the third Tuesday of the month in City Hall. Staff will conduct a tabletop exercise annually.

3. **Resolution 13-13, A Resolution Approving Kohlmann Park Performance Amphitheater Plans & Specifications.**

Item was removed from the agenda.

4. **Resolution 13-14, A Resolution Approving the Policy for Groups to Rent and/or Use the Performance Area and Park Shelters.**

Item was removed from the agenda.

5. **Resolution 13-15, A Resolution Awarding Contract for the 16th Street SW HMA Reconstruction 2013 Project.**

Moved By: Olson

Resolution 13-15, A Resolution Awarding Contract for the 16th Street SW HMA Reconstruction 2013 Project to Heartland Asphalt, Inc. of Mason City, Iowa for the bid amount of \$382,077.14 is hereby approved.

Yes: 6

No: 0

Absent: 1

6. **Resolution 13-16, A Resolution Approving a Professional Services Agreement with WHKS & Co. for the Citywide Bi-annual Bridge Inspection 2013 Program.**

City Engineer Cherry informed Council that there are inspections of nine bridges and additional inspection work and documentation on the Adams Parkway and 3rd Street SE bridges.

Moved By: McKenzie

Resolution 13-16, A Resolution Approving a Professional Services Agreement with WHKS & Co. for the Citywide Bi-annual Bridge Inspection 2013 Program for a Not-to-Exceed amount of \$6,100.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

7. **Resolution 13-17, A Resolution Finalizing the WPC (Water Pollution Control Facility) Final Clarifier Improvements 2012 Project and Approving Final Payment.**

City Engineer Cherry informed Council that three covers were installed on the clarifiers. The covers reduce freezing in the winter of the affluent and sun protection in the summer to prevent algae.

Moved By: Lieb

Resolution 13-17, A Resolution Finalizing the WPC (Water Pollution Control Facility) Final Clarifier Improvements 2012 Project and Approving Final Payment to Staab Construction of Marshfield, Wisconsin in the amount of \$23,890.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

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

Moved By: Kangas

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

Yes: 6

No: 0

Absent: 1

9. **Resolution 13-18, A Resolution Approving a Professional Services Contract for Human Resource Services Provided by Tina Miller of the Accel Group.**

This is an agreement with the Accel Group to provide human resource services for approximately 2 hours a week. Services include review personnel policies, introduce employee wellness and safety programs to reduce workers comp claims.

Moved By: McKenzie

Resolution 13-18, A Resolution Approving a Professional Services Contract for human resource services provided by Tina Miller of the Accel Group of Waverly, Iowa for the amount of \$8,000 is hereby approved.

Moved By: McKenzie

To remove Tina Miller’s name from the resolution is hereby approved

Yes: 6 No: 0 Absent: 1

Council discussed liability of the contract. The services would provide advisory and research on human resource issues, draft policy, review safety methods and procedures for Council approval.

The original resolution as amended is hereby approved.

Yes: 6 No: 0 Absent: 1

10. **Approval of Proposal of Services from the Institute of Public Affairs.**

Jeff Schott will provide services for a citizens survey, Council and staff goal setting, and strategic planning with Council.

Moved By: Neuendorf

Proposal of Services from the Institute of Public Affairs for a citizens’ survey, goal setting, and strategic planning for 2013 with each item likely being under an estimated cost of \$5,000 and all items together being an estimated \$12,000 is hereby approved.

Yes: 6 No: 0 Absent: 1

F. BOARDS AND COMMISSIONS.

- 1. **Boards and Commissions.**
- 2. **Reports.**
- 3. **Communications.**

Iowa Department of Natural Resources for Water Trail Crew Assistance Agreement – IDNR will be doing warning signage for the dam and boat landing in Kohlmann Park area.

Administrator Jones informed Council that on February 18th Council agenda will include closing documents on the Fair/Ball Diamond property, review on the Capital Improvement Plan, and to set the public hearing for the budget.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Staff will check on sidewalks along the 4th Street SW corridor.

H. ADJOURNMENT.

Moved By: Neuendorf

That the City Council Meeting be adjourned.

Yes: 6 No: 0 Absent: 1

Council adjourned at 8:12 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk