

**Regular Meeting Minutes**  
**April 15, 2013 ~ 7:00 p.m.**

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on April 15, 2013, at 7:00 p.m. in the Ivan "Ike" J. Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gene Lieb, Dan McKenzie, Wes Gade, Chris Neuendorf, Kathy Olson, Gary Boorum and Tim Kangas. 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: Kangas**

The agenda is amended by removing Item No. 2 and Item No. 12 under Regular Business is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

The original motion as amended was voted upon.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Minutes.**

**Moved By: Boorum**

The April 1, 2013 Regular Session and April 5, 2013 Council/Work Session Minutes are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Proclamation.**

Elizabeth Rodl, an intern for Together for Youth Organization informed the Council that May is Adolescent Pregnancy Prevention Month to raise awareness. Joannie Spencer from Allen Hospital informed Council that sexually transmitted infections are increasing and the organization will be working with WSR Schools and Bremwood.

**Moved By: Boorum**

Proclaiming May, 2013 as Adolescent Pregnancy Prevention Month is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**B. VISITORS/PUBLIC COMMENTS.**

Carl Benning representing the Waverly Area Veterans Post informed Council that the Post is applying for a CAT Grant. The CAT Board would look favorably on City's contribution to the project. Mr. Benning stated that the success of the CAT Grant has increased with this type of project. Mr. Benning also stated that WAVP has received 50% of project cost from contributions which is a requirement of the CAT Grant process.

**C. CONSENT AGENDA.**

1. Pay Request from Stanley Consultants, Inc. for the Cedar River Letter of Map Revision (LOMR) in the amount of \$2,356.68.
2. Class C Liquor License for Wooden Foot Saloon.
3. Class C Liquor License for Asian Garden, Inc.

**Moved By: Neuendorf**

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

**Yes: 7**

**No: 0**

**Absent: 0**

**E. REGULAR BUSINESS.**

1. **Report on Level of Use and Issues Relating to Activities in Kohlmann Park Use and Band Update.**

Sharon Cashman of the Leisure Services Commission reviewed the concerns that were voiced by citizens on a petition. Ms. Cashman stated that St. Paul's has consented to letting the Band Committee use their parking for concerts. A car can be parked on a flood lot temporarily. Dog owners are responsible for cleanup up after dog

and bags are available in the park. The Band Committee is looking at different areas in Kohlmann Park for the Amphitheatre. The Band Committee is looking at crosswalk designations at 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Avenues NW. Businesses and citizens do support the Municipal Band Concerts. Ms. Cashman informed Council that parking is freed up on the west side of 1<sup>st</sup> St. NW when parking signs are put out.

Eric Eckerman of Leisure Services Commission reviewed a draft policy that categorizes the appropriate use of each park. Mr. Eckerman reviewed the community use parks, neighborhood parks, river access parks, and special use parks. Leisure Services Director Ray informed Council that there are 40 booths for the Art Walk on May 4<sup>th</sup>. Marc Mueller stated that the Architect is redeveloping the design of the Bandshell and where it should be placed in the park. The Band Committee is glad the Concerts were moved from the Courthouse to Kohlmann Park for safety and restroom facilities. The Council agreed that there should be a decision soon on having the Bandshell in Kohlmann Park or not. Ms. Cashman stated that the Band Committee wants to present plans to the Council in May.

2. **Resolution 13-46, A Resolution Approving a Contribution to the Waverly Area Veterans Post.**

The item was removed from the agenda.

3. **Resolution 13-45, A Resolution Approving a Contract for Professional Roof Consulting Services for the Fire Station Roof**

Fire Chief Dennis Happel informed Council that the fire station roof continues to leak and a consultant is needed to get the problem resolved. The Consultant would oversee the contractor's work to make sure it is done right. Discussions are continuing to get the original contractor to complete the corrections to the Fire Station. The reconstruction cost will be responsibility of the contractor. Chief Happel stated that there might be a cost to the City if the parties agree there is a better action plan that was not in the original plans and specifications.

**Moved By: McKenzie**

Resolution 13-45, A Resolution Approving a Contract for Professional Roof Consulting Services with Terracon Corporation for the amount of \$25,000 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

4. **Third Reading of Ordinance 967, An Ordinance Proposing Water Rate Increase for FY 2014, 2015 and 2016.**

City Administrator Jones informed Duane Liddle that the City maintains the same number of employees that it had in the 1970's even with City growth. Currently staff is updating their meter reading and utility billing operations.

**Moved By: Olson**

Third Reading of Ordinance 967, An Ordinance Proposing a 2.5% Water Rate Increase for FY 2014, 2015 and 2016 is hereby approved.

**Yes: 6**

**No: 1(Gade)**

**Absent: 0**

5. **Third Reading of Ordinance 968, An Ordinance Proposing Sewer Rate Increase for FY 2014, 2015 and 2016.**

City Engineer Cherry stated that increased rates are used to maintain the current Water Pollution Facility as well as accommodating growth. The City has replaced two lift stations in the past year. The 2.5% increase over three years equates to 7.68%.

**Moved By: McKenzie**

Third Reading of Ordinance 968, An Ordinance Proposing a 2.5% Sewer Rate Increase for FY 2014, 2015 and 2016 is hereby approved.

**Yes: 6**

**No: 1(Gade)**

**Absent: 1**

6. **Third Reading of Ordinance 969, An Ordinance Proposing Solid Waste Increases for FY 2014, 2015 and 2016.**

There was discussion on keeping the base rate the same and increasing the cost of stickers. The base fee includes facilities, equipment, employees, recycling and

yardwaste operation costs. There is a higher cost to the 65 gallon container versus a 35 gallon as an incentive to recycle more and reduce the volume of their garbage going to the landfill. Administrator Jones stated that Council could vote on a one year increase or approve the three year increase and have the option to change the increase at a later date. Finance Director Bachhuber informed Council that the City has scheduled a budget for a loan for the three trucks for the next three years. City Administrator Jones stated at budget time it was the Council's desire to talk about containers so staff set aside funds to purchase said containers. The base rate structure does not include the containers. Staff established a rate based on the current structure and what the structure should be to have a positive fund balance, replace the two residential trucks, the one recycling truck and pay for the containers if approved by the Council. If the Council did not approve the containers the \$135,000 would be used to pay off the loan for the solid waste trucks earlier. Mr. Bachhuber stated that planning out three years gives residential and commercial customers an idea what is going on in the future. Council discussed having a balanced base rate increase for commercial customers. The City is increasing the longevity of recycling and residential trucks. There isn't sufficient reserves in solid waste account to purchase the three trucks so staff has planned to borrow the money and spread the truck costs out over 3 to 4 years.

**Moved By: McKenzie**

Third Reading of Ordinance 969, An Ordinance Proposing a Solid Waste Increases for FY 2014, 2015 and 2016 as set out in attached schedule is hereby approved.

**Moved By: Neuendorf**

To amend Ordinance 969 proposing a solid waste increase for FY2014 is hereby approved.

**Yes: 3(Neuendorf, Lieb, Gade) No:McKenzie, Kangas, Olson, Boorum)**

**Absent: 0**

The original motion was then voted upon.

**Yes( McKenzie, Olson, Boorum) No: (Kangas, Lieb, Gade, Neuendorf)**

**Absent: 0**

**Motion failed due to a lack of majority.**

7. **Resolution 13-40, A Resolution Approving a Professional Services Agreement for the Cedar River Parkway (West) Improvements (4<sup>th</sup> Street SW to Cedar River).**

City Administrator Jones informed Council that this agreement with Stanley Consultants is for development of plans and specifications for said improvements for Cedar River Parkway (10<sup>th</sup> Avenue) between 4<sup>th</sup> Street SW to the Cedar River. City Engineer Cherry stated that the project would start off with Neighborhood Public Input. Staff will review with Council the public input discussion for the project and plans & specifications in July. In December and into January a public hearing would be held and bidding and letting process. The Council could award the contract in February if they desire. Construction could begin in April, 2014. The project is a Council priority to alleviate truck traffic on 4<sup>th</sup> Street SW and Downtown areas, and a bridge that can withstand a 500 year flood. The bridge would be part of Phase 2. The Parkway will be a three lane facility with raised medians and protected turn lanes in the Eliassen Addition area and 4<sup>th</sup> Street. Nick Baker opposed the Cedar River Parkway project.

**Moved By: Olson**

Resolution 13-40, A Resolution Approving a Professional Services Agreement with Stanley Consultants for not-to-exceed cost of \$314,700.00 for the Cedar River Parkway (West) Improvements (4<sup>th</sup> Street SW to Cedar River) is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

8. **Resolution 13-41, A Resolution Approving a Professional Services Agreement for the Wastewater Treatment Facility – Trickling Filter Assessment.**

**Moved By: Neuendorf**

Resolution 13-41, A Resolution Approving a Professional Services Agreement with WHKS & Co. for a not-to-exceed amount of \$10,000 for the Wastewater Treatment Facility – Trickling Filter Assessment is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

9. **Resolution 13-42, A Resolution Approving Contract Documents for the 2013 Bituminous Seal Coat Program.**

City Engineer Cherry will report back to Council on the some of the streets from last year's program that have deteriorated. The contractor will use the same process and product that has been used for the last 15 years on this year's program.

**Moved By: Kangas**

Resolution 13-42, A Resolution Approving Contract Documents for Blacktop Services Co. of Cedar Falls, Iowa for the amount of \$118,625.05 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

10. **Approval of March Cash Disbursements.**

**Moved By: Boorom**

The March Cash Disbursements are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

11. **Mayoral Appointments.**

**Moved By: Neuendorf**

The Mayoral Appointments of Edie Waldstein to Planning & Zoning Commission, John Kurtt to the Cable Commission, Glenn Engel and Dick Schroeder to Hazard Mitigation/River Use Commission and Jim Janssen to the Library Board are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

12. **Resolution 13-43, A Resolution Approving a Special Provisional Use for Three Park Shelters in new Riverview Park in SE Waverly.**

This item was removed from the agenda.

13. **Resolution 13-44, A Resolution in Support of the City of Readlyn, Plainfield, Denver, and the City of Janesville, to Propose the Question of the Imposition of a Local Sales and Service Tax to be Submitted to the Qualified Electors in the Cities of Readlyn, Plainfield, Denver and Janesville, Iowa at a Special Election.**

**Moved By: Olson**

Resolution 13-44, A Resolution in Support of the City of Readlyn, Plainfield, Denver, and the City of Janesville, to Propose the Question of the Imposition of a Local Sales and Service Tax to be Submitted to the Qualified Electors in the Cities of Readlyn, Plainfield, Denver and Janesville, Iowa at a Special Election is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**F. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

2. **Reports.**

3. **Communications.**

City Administrator Jones reviewed items for the next agenda.

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

City Engineer Cherry informed Council that the sidewalk inspections will be completed this week. Pedestrian Ramp work will start next week. After inspections are completed notices will be sent to property owners. White markings on the sidewalk are the property owner's responsibility, green is the City's responsibility and pink are pedestrian ramps.

Councilmember McKenzie stated that the Fire Department held their annual awards night and the Friends of the Fire Department award was given to Councilmember Gary Boorum.

Mr. Cherry informed Council that staff is on the rotation schedule for sidewalk maintenance program and property owners whose sidewalks need repair in other areas should wait until the City comes to their section of town or hire a contractor to complete sidewalk repairs.

City Engineer Cherry informed Council that the bridge sidewalk was poured on Saturday and another crew will take over on the railing system and then move to the north side of bridge.

Leisure Services Director Ray informed Council that seed was planted next to the new roads in the Cemetery and has not germinated and it is very muddy. Staff is looking at adding gravel to the side of the road.

**H. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes: 7**

**No: 0**

**Absent: 0**

**Council adjourned at 9:10 P. M.**

\_\_\_\_\_  
Bob Brunkhorst, Mayor

Attest:

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Jo-Ellen Raap, City Clerk