

## Regular Meeting Minutes

May 20, 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, and Tim Kangas. Absent: Gary Boorum

#### 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. 1 under Regular Business is hereby approved.

**Yes: 6                      No: 0                      Absent: 1**

The original motion as amended was voted upon.

**Yes: 6                      No: 0                      Absent: 1**

#### 2 Minutes.

**Moved By: Neuendorf**

The May 6, 2013 Council Meeting Minutes are hereby approved.

**Yes: 6                      No: 0                      Absent: 1**

### B. PUBLIC HEARINGS.

#### 1. This is the date, time and place for a Public Hearing on the 2012 – 2013

Budget Amendment.

This was the date, time and place for a public hearing on the 2012-2013 Budget Amendment. The hearing was declared closed and the following action was taken.

**Moved By: McKenzie**

Resolution 13-51, Resolution Adopting the Amended Budget for fiscal Year Ending June 30, 2013 is hereby approved.

**Yes: 6                      No: 0                      Absent: 1**

### C. VISITORS/PUBLIC COMMENTS.

City Administrator Jones stated that the Mayor, Councilmembers, Staff, Bremer County Emergency Management, Hospital, WLP, WSR Schools, and Fire Department began planning initial approach to develop a communication strategy to inform the public of impending minor flood event. City Engineer Cherry reviewed accumulated rainfall in areas of the Cedar River Watershed. Staff monitors the National Weather Service website for forecasting for river levels in Charles City and Janesville and historical ranges to look at what range Waverly can expect. Mr. Cherry stated that southeast residents should expect 7<sup>th</sup> Ave SE near 1<sup>st</sup> St. SW to flood, sections of Cedar Lane near Brown Lane, 3<sup>rd</sup> Street SE Bridge, Crestwood area and 4<sup>th</sup> Street SE. HESCO Barriers would be installed on 7<sup>th</sup> Ave SE at 6:00 a. m. Tuesday to maintain vehicle access into the SE Area neighborhood. Residents along the river should be alert to flooding. There will be a 6 foot benefit from the dam up to Adams Parkway. Lift stations are protected up to a 100 year flood level. Citizens can use the City's website for updates on flooding. A Code Red was conducted for residents in Southeast Waverly. If citizens don't have a land telephone line they can register for Code Red on the City's website. There will be a 10:00 A. M. meeting to review River levels and forecast and a press release will be issued at 12:30 P. M. and 4:00 P. M. Fred Wagner voiced concern with no predictions from Plainfield. Staff informed Dave Rathe that with the present forecast Waverly will crest Tuesday evening.

**D. CONSENT AGENDA.**

1. Pay Request from Svendsen Tyler, Inc. for the Historic Preservation NW & SE Neighborhood Survey in the amount of \$6,295.00.
2. Pay Request from Baker Concrete & Excavating for the AmVets Area Riverbank Restoration – 2013 in the amount of \$47,950.31.
3. Class C Liquor License Renewal for Waverly Bowling Lanes, Inc.

**Moved By: McKenzie**

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

**Yes: 6**

**No: 0**

**Absent: 1**

**E. REGULAR BUSINESS.**

1. **Review of the April, 2013 Citizens Random Survey.**

Item was removed from the Agenda.

2. **Second Reading of Ordinance 970, An Ordinance Establishing the Board of Trustees of the Waverly Communications Utility.**

Dean Soash voiced concern with appointing the board before conducting the Feasibility Study and to have other citizens on the Communications Utility Board. Gene Drape stated that the Waverly Light & Power Board is ready to move forward with a Communication Utility. There is an economic benefit to the whole City that Broadband will bring. The Feasibility Study should be finished by the end of the year. An option is that Waverly Light & Power can lease their fiber to another provider. Gene Drape's term is up and would like to be appointed to another term on the Waverly Light & Power Board.

**Moved By: Kangas**

Second Reading of Ordinance 970, An Ordinance Establishing the Board of Trustees of the Waverly Communications Utility is hereby approved.

**Yes: 5**

**No: 1(Neuendorf) Absent: 1**

3. **Review of the Waverly Light & Power Audit.**

Diane Johnson stated the consultant that conducts the Feasibility Study would consider offering voice and video options. WLP has \$61.4 Million of capital assets with a net asset value of \$32.4 million. WLP received an unqualified opinion. 3% of required energy is produced by the City's hydros and wind resources. Generation costs will continue to go up. The City's generation comes from coal fire plants and EPA requirements are making coal use expensive. On June 10<sup>th</sup>, WLP will present a televised rate forecast meeting. Transmission costs are also increasing. Electrical rates did not increase for the last two years but Capital Projects are coming up and rates will have to be raised. If cash on hand is higher than 15% at the end of the year the money is shifted to the Rate Stabilization Fund. The funds will be used to keep rates stable.

4. **Approve Proposed Plans, Specifications and Location of the Amphitheater in Kohlmann Park.**

Leisure Services Director stated that the architect has revised the plans to fit within the current setback requirements. The project is scaled back and not as tall to accommodate views and reduce the costs. The public will be able to see their children playing in the park while attending concerts and events and there is existing shade from trees. The Leisure Services Commission has approved the project. The Band Committee would like a decision soon in order to complete and submit a RECAT Grant due July 1<sup>st</sup>. The Band Committee has made a good effort in addressing the concerns of the neighborhood. Staff is developing a park use category policy and Kohlmann Park is categorized as a community events park. Mark Mueller reviewed the drawing of the proposed Amphitheater. Architect Larry Kurtz stated that the Amphitheater is 20 feet from the River. Mr. Mueller stated that the

proposed design was 4 ½ feet shorter than the last design. Mr. Kurtz stated that he is a week away with finalizing the plans. Mr. Mueller also informed Council that the Band Committee has the use of St. Paul's parking lots and use of vacant lots. Police Chief Pursell does not think that the concert parking would impede emergency vehicles. Mr. Kurtz does not believe the trees will interfere with the amphitheater. Fred Wagner stated that the Board of Adjustment said no to having the Amphitheater in Kohlmann Park and so did the Leisure Services Commission and Council. Mayor Brunkhorst informed Duane Liddle that the money in the Band Fund was from Hotel/Motel Tax revenues. Mr. Mueller informed Council that the Band Committee will use the balance of funds in the Band Account and fundraise to cover the rest of the costs for the Amphitheater. Sharon Cashman of the Leisure Services Commission stated that the RECAT grant is for river enhancement. Sherry Wagner voiced concern with everything down at the north end of the park. Ms. Wagner stated that other options have been presented and felt that the Amphitheater would fit better at those locations. The Council discussed that no plans have been presented and this proposal is in new location. Leisure Services Director Ray suggested that the Council approve the location and concept and approve the plans and specifications at the next Council meeting. City Administrator Jones informed Council that on the website agenda there is a link to the maps that shows the location in Kohlmann Park and it shows the drawing that coincides with the written agenda. The Council also discussed whether the Kohlmann Park site is the site for the Amphitheater. Deb Lane voiced concern with spending City money on the project and whether the park is big enough for the amphitheater. City Attorney Werger informed Guest Councilperson Matt Lamos that the City cannot have an election to decide where to put the Bandshell. Ms. Cashman stated that the Band Committee has met all the concerns of the neighbors and the City.

**Moved By: Lieb**

Proposed Plans, Specifications and Location of the Amphitheater in Kohlmann Park is hereby approved.

**Moved By: McKenzie**

To table the Proposed Plans, Specifications and Location of the Amphitheater in Kohlmann Park until the next meeting in June is hereby approved.

**Yes: 2 McKenzie, Kangas                      No: 4                      Absent: 1**

**Moved By: Olson**

To amend the motion to approve Kohlmann Park as the proposed plan and location of the Amphitheater and specific plans and specifications to come back to Council at the next meeting is hereby approved.

**Yes: 4                      No:2(Gade, Neuendorf)                      Absent: 1**

The original motion as amended was then voted upon.

**Yes: 4                      No: 2(Gade, Neuendorf)                      Absent: 1**

5. **Second Reading of Ordinance 971, An Ordinance Amending Chapter 100 to Allow Expanded Residential Application in Commercially Zoned Areas and to Establish Height Requirements in C-3 District.**

**Moved By: Neuendorf**

Second Reading of Ordinance 971, An Ordinance Amending Chapter 100 to Allow Expanded Residential Application in Commercially Zoned Areas and to Establish Height Requirements in C-3 District is hereby approved.

**Yes: 6                      No: 0                      Absent: 1**



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

If there is sidewalks on both sides of the avenue pedestrian ramps are created for one crossing to the street following ADA requirements. The City is taking final bids from local contractors for final restoration and seeding along the pedestrian ramps.

The Bremer Ave Bridge work is the IDOT's project. The contractors will be moving to the north side and it will take 2 to 3 weeks to complete.

The Council discussed that the City is using the National Incident Management System process that was developed after the September 11, 2001 for any event or disaster.

The Council thanked Matt Lamos for his service as guest councilperson.

**H. ADJOURNMENT.**

**Moved By: Neuendorf**

That the City Council Meeting be adjourned.

**Yes: 6**

**No: 0**

**Absent: 1**

**Council adjourned at 9:35 P. M.**

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**Bob Brunkhorst, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**