

Regular Meeting Minutes
June 3, 2013 ~ 7:00 p.m.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 3, 2013, at 7:00 p.m. in the Ivan "Ike" 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. **Pledge of Allegiance.**

Josh Forest led the Council in the Pledge of Allegiance. The Mayor and Council thanked Josh Forest for assembling 5 picnic tables and 2 park benches for the City's Bike Trail and parks for his Eagle Scout Badge.

2. **Prayer.**

Councilmember Boorum led the 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.

Yes: 7

No: 0

Absent: 0

4. **Minutes.**

Moved By: Neuendorf

The May 20, 2013 Council Meeting Minutes are hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Jon Tehven as Guest Councilperson for June.

B. VISITORS/PUBLIC COMMENTS.

Emily Neuendorf presented a Chamber Main Street Best Partnerships Award to the City of Waverly for collaboration with the Waverly Chamber and Downtown businesses. Travis Nuss of Nuss Chiropractic received the Volunteer of the Year Award from Main Street Iowa for remodeling of the Waverly Chamber office. City Administrator Jones thanked the Council, Community and Staff for their help in the Minor Flood Event of 2013. The River crested at the 9th highest level in 100 years. On May 19th 10 inches rain fell in Mitchell County and Osage. Monday morning staff had a meeting with County Emergency Manager Kip Ladage and reviewed rain totals projected crest and what it meant for Waverly. There was a meeting at 10:00 A. M. with Councilmembers, staff, WLP and Waverly Health Center partners, Fire and Ambulance departments and WSR Schools. Staff used Federal Agency data to arrive at projections for the Cedar River. Staff calculated that the river would crest at 13 ½ Feet on Tuesday night or Wednesday morning. Property damage would be minimal but would impact transportation corridors on 7th Ave SE, 4th Street SE, the green bridge, potentially Crestwood Boulevard and 8th Street and low lying areas along the river. Staff's focus was on communication. Staff looks at Charles City and Janesville river levels to determine where river levels will be and when Waverly river levels will crest. After the 2008 flood, staff found out that sandbagging was ineffective in most areas. As a result the City invested in HESCO Barriers. Tuesday morning Public Services Superintendent Sullivan and his crew put up 375 linear feet of single row HESCO barriers filled with sand and covered with plastic. The barriers blocked flood waters for an additional 11 hours for local residents. 100 feet in the middle of the barrier line fell and the water rushed over into 7th Ave SE. Staff observed that the river

backed up through the drainage area between Crestwood and Southeast School and came over 4th Street before the water overtopped the barriers on 7th Ave. SE. The 3rd Street SE Bridge was closed about 9:00 P. M. on Tuesday evening. One of the biggest problems staff had during the event was non-resident traffic. Non resident traffic will be cutoff sooner for the next event and only local residents will be allowed in flooded areas. 4th Street SE and 7th Avenue SE had to be closed from 4:00 A. M. to 9:00 A. M. because the water was too deep for travel. The 3rd Street Bridge was open at 11:00 A. M. and the bridge was inspected by City Engineer Cherry and a certified bridge inspector. After the bridge was open, staff concentrated on cleanup operations. Mr. Jones thanked KWAY, Waverly Newspapers, KWWL, and Wartburg for getting out information on the flood event. For the next event staff will set up the HESCO barriers differently to gain an additional 3 feet of vertical support. The water will still run around the barriers and flow down 7th Avenue from the box culvert on 1st Street SW. Mr. Jones informed Council that Big Six residents can also apply to receive Code Red warnings. The City will have sandbag stations available for emergency flooding. City Engineer Cherry informed Council that the inflatable dam compensates just as fast as the river rises or lowers as part of the Operations Plan with IDNR. Sand bars move naturally in a flood. Council petitioned citizens to update their information on the Code Red System.

Discussion followed on landscaping along the newly installed pedestrian ramps in Northwest Waverly.

C. CONSENT AGENDA.

1. Pay Request from Snyder & Associates, Inc. for \$8,820.00 for the Bremer County Fairgrounds Traffic Impact Study (Champions Ridge).
2. Pay Request from Concrete Idea, Inc. for \$178,056.88 for the Citywide Ped Ramp Reconstruction 2013.
3. Pay Request from AECOM for \$3,589.37 for the GMT Railroad Spur Line for GMT Corporation.
4. Pay Request from WHKS & Co. for \$6,096.14 for the Inspection of 9 Bridges/Culverts and 8 Recreational Trail Bridges.
5. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for \$2,049.90 for the HMGP Demo.
6. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) \$98.27 for EDA Dam Project.
7. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for \$671.28 for CDBG Dam Project
8. Pay Request from WHKS & Co. for \$8,820.00 for the Dry Run Creek Improvements Phase 1.
9. Pay Request from McClure Engineering for \$3,500.00 for the Waverly – Land Acquisition Phase II.
10. Pay Request from Terracon Consultants, Inc. for \$5,862.40 for the Fire Station Roof Consultation- design documents are prepared and are being reviewed by the Contractor and the City's Consultant and to order materials and begin fabrication.
11. Pay Request from Ramker Construction & Supply for the Cemetery Handicap Ramp Project for \$11,595.00.

Moved By: Olson

Items 1 – 11 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

D. **REGULAR BUSINESS.**

1. **Resolution 13-53, A Resolution Approving Plans and Specifications for the Performance Amphitheater in the North Portion of Kohlmann Park**

Larry Kurtz the project's engineer informed Council that the amphitheater is within setback lines. The upper panels are glass and hold the structure together. The panels on the lower half are a vinyl fabric for sound reflection and said panels have to be taken down after every performance. The amphitheater is 18 foot 1 inch tall. A berm will be constructed on the backside and and planted with Day Lilies. A water line will be installed to clean the stage after events and electrical outlets will be installed. There is \$21,000 option to add lighting at the top of the structure. The total cost of the amphitheater is \$284,000 with the alternate lighting. The structure will have to be sealed every 10 years at a cost of \$500. The Band Committee wants to contribute an additional \$15,000 funding for creation of a maintenance fund. Community Development and Zoning Specialist Kohout stated that the area is zoned U-1, Environmentally Sensitive and a structure is allowed after a special provisional use process. The structure is viewed as an accessory building and will not have to go through the special provisional use process. The area is part of the park and will be maintained by City staff. There were two amendments to the original motion. Sum of \$15,000 would be added to the project cost to setup a maintenance fund for the structure and additional language of "substantial completion by the end of 2015" was also added to the resolution. Council informed Duane Liddle that the amphitheater would become a City structure.

Moved By: McKenzie

Resolution 13-53, A Resolution Approving Plans and Specifications for the Performance Amphitheater in the North Portion of Kohlmann Park is hereby approved.

Moved By: Gade

The Band Committee will provide \$15,000 additional funding for maintenance needs of the structure is hereby approved and will be added to the resolution.

Yes: 7 No: 0 Absent: 0

Moved By: Gade

The amphitheater will be substantially completed by the end of 2015 is hereby approved and will be added to the resolution.

Yes: 7 No: 0 Absent: 0

The original resolution as amended was then voted upon.

Yes: 5 No: 2(Boorum, Neuendorf) Absent: 0

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

City Administrator Jones stated that WLP is demonstrating their desire to move forward with the study phase to understand the market and technology opportunities. Diane Johnson informed Council that the Utility will conduct a feasibility study right away and create a Community Task Force with Council representation. The Board will want to come to Council on the Feasibility Study results, service delivery models, and funding for the utility. The WLP Board will not lead the study unless the Communication Utility Board is in place. Dean Soash who was part of the original study group in 2000 stated that a study was done before the Telecommunication Utility was created. He believes that a Community Task Force can conduct a study. There was discussion on a

outsource company doing the feasibility study and what it would cost. The Telecommunication Utility would govern how WLP's fiber is handled to business and residential customers. Cellular carriers export data and if there is too much data, it gets off-loaded to fiber. Fiber network is a valuable asset to Waverly. The WLP Board wants the structure in place for the Communication Utility to commit its leadership and resources and manage the Feasibility Study. The 2000 action came about because residents were dissatisfied with their cable TV provider and were looking at bringing cable TV into a utility. At the end of the study, the Communication Utility will have to deal with other carriers on contracts for service to the community. GOB Bonds would have to be approved by City Council but Revenue Bonds to fund project costs could be approved by the Communication Board. Based on the vote of 2000, the next step would be to create the Utility Board. Ms. Johnson will send an e-mail to the Mayor and Council requesting recommended numbers for the Task Force. The Communication Utility has already compiled a list of consultants to conduct the Feasibility Study. A draft set of By-Laws for the Task Force has been created. The Board and Task Force will decide who will be the Chair.

Moved By: McKenzie

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

Yes: 5

No: 2(Gade, Neuendorf) Absent: 0

3. **Second Reading of Ordinance 972, An Ordinance Amending Chapter 69, Solid Waste of the Waverly Municipal Code.**

City Engineer Cherry informed Council that the City will begin delivering the containers in September and October. Staff would identify who already has a container in the different sections of the City. The City would notify residents with no containers about the program and two weeks later residents will receive their container and billed the next month for said container. Garbage will not be picked up if a resident does not have a container. By-weekly pickup could begin in August. Staff will have to order different colored lids. Waverly is a growing community and staff has to look at ways to make operations more efficient. There are 5 employees in Solid Waste and 6 years ago discussions started on the bins for side load trucks.

Moved By: Neuendorf

The Second Reading of Ordinance 972, An Ordinance Amending Chapter 69, Solid Waste of the Waverly Municipal Code is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Third 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: Kangas

The Third 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: 7

No: 0

Absent: 0

5. **Approve Final Payment to Baker Concrete & Excavating for HMGP Contract Demolition of 903 1st St. SW.**

Moved By: Boorum

The final payment to Baker Concrete & Excavating for HMGP Contract Demolition of 903 1st St. SW is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Resolution 13-54 , A Resolution Approving a Professional Services Agreement for the Public Services Center for Operations & Disaster Response Part 1 – Phasing Options Study.**

Council reviewed the Public Services Center and phasing options. The Public Services and Operations Center would be an alternative area to have an operations center out of the flood plain. City Engineer Cherry informed Council that the study will provide three alternatives for said center. Staff and the Consultant will evaluate permanent and temporary structures for said site. Mr. Cherry stated that the study would look at what investment the City should make on a temporary structure. The study would provide a detail cost analysis and evaluate longevity and maintenance of facilities. The first phase will identify the needs of the Streets and Sanitation Department. The majority of streets and sanitation equipment sits outside. Water, Line Maintenance and Equipment Services have space inside existing buildings to store equipment. Mr. Cherry reviewed diagrams of the proposed Public Services facilities.

Moved By: McKenzie

Resolution 13-54, A Resolution Approving a Professional Services Agreement for the Public Services Center for Operations & Disaster Response Part 1 – Phasing Options Study is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Approve Purchase of Utility Vehicle for Parks Division, Utility Vehicle with Sprayer and Topdressing Attachments, Greensmower and Bunker Rake for the Golf Division.**

Leisure Services Director Ray informed Council that staff has combined bids for the Golf and Parks equipment in order appreciate potential savings. Staff currently has three Toro Greens Mowers and they have proven their durability and parts are interchangeable. Dennis Jones of the Golf Division stated that the Toro's are very dependable and the Golf Division has a parts inventory. Mr. Ray feels that staff maintains equipment to last longer.

Moved By: Boorum

The purchase of a John Deere 2020A Pro Gator Vehicle, HD Sprayer 200 sprayer, Dakota 410 mounted top dresser for the Golf Division, and John Deere 2020A Pro Gator Vehicle including hydraulics and street package for the Parks Division for \$60,610 from VanWall Golf of Rock Island, IL including trade-ins, the purchase of John Deere 1200 Hydro Bunker Rake for the Golf Course for \$13,000 from VanWall Golf of Rock Island, IL including trade-in, the purchase of, a Toro 3300 Greens mower 4510 for the bid of \$28,475.89 from MTI Distributing Inc. from Brooklyn Center, MN including trade in are hereby approved..

Yes: 7 No: 0 Absent: 0

E. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Economic Development Commission –toured Old CUNA Mutual Building and the old Irving School site.

2. Reports.
3. Communications.

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Leisure Services Director Ray stated that he will notify Walgreens and Fareway about mowing along their property.

June 15th is the Waverly Jaycees 10th Annual Greatest Bike Ride Across Bremer.

Council reminded Citizens that it is summer and kids are out.

Concerts in Kohlmann Park starts on Thursday evening.

Guest Councilperson Tehven thanked Mayor and Council for their service and time.

G. EXECUTIVE SESSION.

Discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

Moved By: Olson

To enter into closed session.

Yes: 7 No: 0 Absent: 0

Moved By: Boorum

To reenter into open session.

Yes: 7 No: 0 Absent: 0

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7 No: 0 Absent: 0

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk