

## Regular Meeting Minutes

June 17, 2013 ~ 7:00 p.m.

### A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 17, 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.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Minutes.**

**Moved By: Boorum**

The June 3, 2013 Council Meeting Minutes are hereby approved as amended by removing the sentence in No. 2 under Regular Business "the Council is not equipped to handle a utility."

**Yes: 7**

**No: 0**

**Absent: 0**

3. **Recognition of the Waverly-Shell Rock Senior High Boys Soccer Team for Achieving Third Place at State Championship.**

Coach Aldin Muhamedagic thanked Council for having the WSR Boys Soccer Team recognized at the meeting. The Council congratulated each of the Soccer Team members. Alex Peschang, Assistant Coach, Tyler Hughes, Captain of the Soccer Team thanked the team for the wonderful season.

### B. VISITORS/PUBLIC COMMENTS.

Councilmember Neuendorf thanked the City for trail cleanup and directing traffic for the Jaycees Bike Around Bremer event over the weekend.

Leisure Services Director Ray informed Council that the Guernsey Foundation has awarded the City's Community Garden program \$3,800.00.

### C. CONSENT AGENDA.

1. Pay Request from Stanley Consultants, Inc. for the Waverly, Cedar River Parkway, Final Design Services in the amount of \$ \$4,554.50.
2. Pay Request from Stanley Consultants, Inc. for the Cedar River Letter of Map Revision (LOMR) in the amount of \$9677.00.
3. Pay Request from Terracon for Fire Station Roof Repairs in the amount of \$2,037.50.
4. Cigarette Permits for:  

<i>Wal-Mart</i>	<i>Casey's</i>
<i>Hy-Vee</i>	<i>Kwik Star (East &amp; West)</i>
<i>Fareway</i>	<i>Liquor &amp; Tobacco Outlet</i>
<i>Walgreens</i>	<i>Dollar General</i>
<i>The Smoking Dragon</i>	

**Moved By: Neuendorf**

Items 1 – 4 on the Consent Agenda are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

### D. REGULAR BUSINESS.

1. **Resolution 13-55, A Resolution Approving the Breezy Hill Minor Subdivision Plat, PD (Planned Development District) Amendment and Amending the Comprehensive Land Use Plan for Property Located in Southeast Waverly.**

Community Development and Zoning Specialist informed Council that the plat includes 5 lots located on the northwest corner of 11<sup>th</sup> St. SE and 29<sup>th</sup> Ave. SE. It is a

planned development district with no multi-family or commercial developemnt. All lots have access on 29<sup>th</sup> Avenue and 11<sup>th</sup> St. SE. The property is not in a floodway. The subdivision will be serviced by City Sewer and water from Iowa Rural Water. Discussion followed on whether the City should run water out past 29<sup>th</sup> Avenue. Mark Evert stated that the houses will be 1,600 to 1,700 square feet. The subdivision will offer room for exterior buildings.

**Moved By: Kangas**

Resolution 13-55, A Resolution Approving the Breezy Hill Minor Subdivision Plat for Evert Homes, Inc., the PD (Planned Development District and the Amendment of the Comprehensive Land Use Plan from "Floodway/Greenway" to "Residential" for Property Located in Southeast Waverly for is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

2. **Resolution 13-56, A Resolution Approving a Development Agreement for Breezy Hill Minor Subdivision Plat with Evert Homes, LLC in Southeast Waverly.**

The City will be reimbursing the Developer \$20,000 for installing the service line.

**Moved By: McKenzie**

Resolution 13-56, A Resolution Approving a Development Agreement for Breezy Hill Minor Subdivision Plat with Evert Homes, LLC in Southeast Waverly.

**Yes:7**

**No: 0**

**Absent: 0**

3. **Resolution 13-57, A Resolution Establishing Fair Market Value and Authorizing Acquisition of Property for the Waverly, Iowa, Airport Land Acquisition 2012 Project.**

City Administrator Jones stated that the City has gone through a process to acquire land and easements around the Airport to improve the safety zone to meet the minimum requirements imposed by FAA. The City has received the appraisal for the Eugene Miller property and with this action the Council will set the value for said property. The FAA reviewed the appraisals and has approved them. The City will forward the appraisals to the Eugene Miller Estate and they will have 30 days to review said appraisals. The City will then negotiate with the Miller's on the final amount. The Miller's were a willing seller. The FAA will pay 90% of said costs.

**Moved By: Olson**

Resolution 13-57, A Resolution Establishing Fair Market Value in the amount of \$341,400.00 and Authorizing Acquisition of Property for Parcels 1 and 9, located at 1198 210<sup>th</sup> Street Waverly, IA, currently owned by Eugene D. Miller for the Waverly, Iowa, and Airport Land Acquisition 2012 Project is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

4. **Authorizing Appraisal Work for the Airport Land Acquisition 2012 Project (Parcels 2, 3, 4, 5E, 6, 6E, 7, 8E, & 10) at the Waverly Municipal Airport.**

City Administrator Jones informed Council that this action will continue the process to get appraisals on the rest of the properties surrounding the airport. Jim Janssen owner of Parcel 10 informed Council that Parcel 10 cuts into a 20 acre field. Mr. Janssen stated that he will give the City an easement on Parcel 10 but will not sell. Mr. Janssen will sell Parcel 3. City Engineer Cherry stated that he will get back with Mr. Janssen after talks with the FAA. It will be the FAA's decision if the City will have to purchase Parcel 10. Mr. Cherry informed Marv Schmidt that after the City establishes the fair market value for his property he will receive a copy of the appraisal. Council informed property owners that the appraisal process will take 2 months or longer. Bill Lowe stated that he needs an easement on Parcel 2 on the

south side. Mayor Brunkhorst informed Duane Liddle that the City would like to maintain and improve the airport and purchase property from willing sellers around the airport for the runway safety zone. City Engineer Cherry informed Council that the runway safety zone has to be completed before further extension of the runway. City Engineer Cherry stated that Waverly is one of the smallest airports in the state. The Council urged property owners to call staff if they have any questions.

**Moved By: Olson**

Authorization of Appraisal Work for the Airport Land Acquisition 2012 Project (Parcels 2, 3, 4, 5E, 6, 6E, 7, 8E & 10) at the Waverly Municipal Airport to Global Appraisal Service of Hampton, Iowa in the amount of \$12,500.00 and Benchmark Agribusiness of Mason City, Iowa in the amount of \$3,250.00 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

5. **Resolution 13-58, A Resolution Approving an Agreement for an Environmental Sites Assessment Services for the Airport Land Acquisition 2012 Project (All Fee Title Parcels) at the Waverly Municipal Airport.**

City Engineer Cherry informed Council that if property owners went from easement to fee title, a site assessment would be required. City Administrator Jones stated that if the parcel shows the property as an easement now and they want to sell the parcel to please let staff know.

**Moved By: Lieb**

Resolution 13-58, A Resolution Approving an Agreement for Environmental Sites Assessment Services for the Airport Land Acquisition 2012 Project (All Fee Title Parcels) at the Waverly Municipal Airport to Impact7G of Johnston, Iowa for the amount of \$5,800 is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

6. **Approve the Airport Land Lease Agreement and Private Hangar Development Checklist Documents for the Construction of Privately Owned and Built Hangars on Leased Land.**

The Agreement is modeled after Mason City's Airport Land Lease Agreement. Any agreement will have to be approved by the Airport Commission and the City Council. The interested party would have to submit a formal proposal of what they want to do and site plan. Staff would have to review plans to see if there is additional infrastructure or taxiway lengthening is needed. An interested party would build a hangar and lease the land from the City.

**Moved By: Lieb**

Approve the Airport Land Lease Agreement and Private Hangar Development Checklist Documents for the Construction of Privately Owned and Built Hangars on Leased Land is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

7. **Approve Change Order No. 1 for the Citywide Pedestrian Ramp Reconstruction 2013 Project.**

City Engineer Cherry informed Council that the change order is the final adjustment of quantities. 142 pedestrian ramps were completed within three weeks. Mr. Cherry stated that he thinks the number of ramps will drop in other areas of the City.

**Moved By: Kangas**

Change Order No. 1 for the Citywide Pedestrian Ramp Reconstruction 2013 Project for the decreased amount of \$904.90 for the final adjustment of quantities is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

8. **Resolution 13-59, A Resolution Finalizing the Citywide Pedestrian Ramp Reconstruction 2013 Project and Approving Final Pay Request.**

**Moved By: Olson**

Resolution 13-59, A Resolution Finalizing the Citywide Pedestrian Ramp Reconstruction 2013 Project and Approving Final Pay Request in the amount of \$10,063.22 to Concrete Idea, Inc. of St. Michael, Minnesota is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

9. **Third and Final Reading of Ordinance 972, An Ordinance Amending Chapter 69, Solid Waste of the Waverly Municipal Code.**

Presently a citizen that requests a container can get one at any time. The rollout of containers will begin in late September and will take 9 months to complete. The City would be divided into neighborhoods and would deliver 400 containers a month to complete the process. Upon approval of said ordinance staff will order yellow lids to use for the twice a month collection. The lids should be available by mid-July. Residents who want twice a month collection should call to put their name on a list. The Public Works Newsletter that residents will receive soon will have all information on said containers and process. If the resident has an extra bag of garbage it can be placed next to your City container with a garbage tag. Once an area of the City is completed, staff will only pickup garbage from a City container. All new customers will receive a City container. All rates change on July 1<sup>st</sup>. A calendar is sent out every December that tells when recycling will be picked up for the year but staff will make sure they include a calendar when residents receive their yellow lid.

**Moved By: Neuendorf**

Third and Final 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**

10. **Resolution 13-60, A Resolution Adopting an Investment Policy and Procedures for the City of Waverly.**

Finance Director Bachhuber informed Council that the auditors examine procedures to make sure the City is following policies. Investment policy started in 1992. There is one change in the Investment Policy and that is to add Bankers Trust. The three main investment goals are safety of principal, maintenance of adequate liquidity to meet liabilities and obtaining reasonable return.

**Moved By: Gade**

Resolution 13-60, A Resolution Adopting an Investment Policy and Procedures for the City of Waverly is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

11. **Resolution 13-61, A Resolution Naming Depositories for the City of Waverly.**

Finance Director Bachhuber stated that the City tries to stay local and also work with banks that are handling the City's bond funds.

**Moved By: Kangas**

Resolution 13-61, A Resolution Naming Depositories for the City of Waverly is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

12. **Approve Partial List of 2012 – 2013 Yearly Transfers.**

Finance Director Bachhuber stated that any transfer between funds have to be approved by Council. There will be more transfers in July to close out more project accounts. Mr. Bachhuber reviewed the partial list of said transfers. One of the changes was to create a Bandshell Fund. There was a \$131,000 transfer to the Waverly Dam Project account from the Flood Mitigation fund to close the account and the transfer and EDA payments will close out the Dam project account.

**Moved By: Lieb**

Partial List of 2012 – 2013 Yearly Transfers is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

13. **Approval of May Cash Disbursements.**

**Moved By: Boorum**

The May Cash Disbursements are hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

**E. BOARDS AND COMMISSIONS.**

1. **Boards and Commissions.**

2. **Reports.**

3. **Communications.**

Administrator Jones reviewed the June 24<sup>th</sup> Council agenda items.

Mr. Jones informed the Council that staff is working with the Band Committee on a Development agreement.

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

Guest Councilperson Jon Tehven thanked the Council and staff for their work.

Discussion followed on the 3<sup>rd</sup> Street SE traffic signal.

The fence is being repaired on the Golf Course this year. Council gave kudos to staff on the maintenance of the Golf Course.

Community Development and Zoning Specialist Kohout informed Council that he and City Attorney Werger are working on an amendment to the Rental Ordinance combined with Municipal Infractions. The amendment will be brought to the Planning & Zoning Commission and a public input session to provide the Council with public comments on said amendment. City Attorney Werger stated that creating infraction language in the different sections of the Code is time consuming.

Leisure Services Director Ray stated that the City's website went down last

Wednesday and finally came up today. Staff will look at another hosting provider.

**G. ADJOURNMENT.**

**Moved By: Boorum**

That the City Council Meeting be adjourned.

**Yes:7**

**No: 0**

**Absent: 0**

**Council adjourned at 8:39 P. M.**

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**Bob Brunkhorst, Mayor**

**Attest:**

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**Jo-Ellen Raap, City Clerk**