

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 7, 2010, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gary Boorum, Gary Grace, Tim Kangas, Richard Lindell, Jim Vowels and Gene Lieb. Absent: Kathy Olson.

1. **Pledge of Allegiance.**

Pack 90 Webelos Michael Shafer, Nick Boden, Carter Langreck, Garret Burkle.

2. **Prayer.**

Pastor Joyce Sandberg of St. Paul's Lutheran Church introduced a prayer for the 2010 Council.

3. **Approve Agenda as Printed or Add Items for Discussion Only.**

Administrator Crayne informed Council that EDA's authorization to start the Waverly Dam Reconstruction Project early provides no guarantees that they will fund the project. Staff wants for the funding award signed before starting the project.

Moved By: Boorum

That the agenda for this Council meeting as amended by removing Item 2 under Regular Business "The authorization from Economic Development Administration for early start of construction for the Waverly Dam Reconstruction Project" is hereby approved.

Yes: 6

No: 0

Absent: 1

The original motion as amended is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Minutes.**

Moved By: Lindell

The May 17, 2010 and May 24, 2010 Council Meeting Minutes are hereby approved as amended by adding wording "Duane Liddle was directed to Jim Langel at "The W" to obtain minutes of the Advisory Committee" on the May 24, 2010 Council Minutes under Visitors and Public Comments.

Yes: 6

No: 0

Absent: 1

The original motion as amended is hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Guest Councilperson.**

Dan Rediske was absent as guest councilperson.

B. PUBLIC HEARING.

C. VISITORS/PUBLIC COMMENTS.

Duane Liddle asked if there are any "The W" Advisory Board minutes available before Jim Langel was hired.

City Attorney Carney informed Duane Liddle that there are two lawsuits pending against the City.

D. CONSENT AGENDA.

1. Class C Beer Permit for Walgreens.

2. Class B Beer Permit for Bremer County Fair Association.

3. Pay Request from Iowa Northland Regional Council of Governments for the HMGP Flood Buyout in the amount of \$5,271.08.

4. Pay Request from Iowa Northland Regional Council of Governments

- for the HMGP Demolitions in the amount of \$652.53.
5. Pay Request from McClure Engineering Company for the Airport Runway, Taxiway, & Apron Rehabilitation in the amount of \$3,167.00.
 6. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction, Phase 2 – Engineering Design & Bidding in the amount of \$26,247.52.
 7. Pay Request from Acterra Group, Inc. for the Waverly Municipal Airport Fuel Farm Jet-A Tank and Cabinet in the amount of \$16,419.30.
 8. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$9,320.96.
 9. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$1,896.18.
 10. Pay Request from Carl Schuler Masonry Construction Company in the amount of \$30,000.00 for the Civic Center Stone Replacement.
 11. Pay Request from Heartland Asphalt for the Waverly Recycling Center Asphalt Paving 2010 in the amount of \$156,799.18.
 12. Pay Request from KWS, Inc. for the Bremer Ave. Traffic Modifications in the amount of \$107,113.65.

Moved By: Grace

Item 1-12 on the Consent Agenda is hereby approved.

Yes: 7

No: 0

Absent: 0

E. REGULAR BUSINESS.

1. **Set Public Hearing Date on Plans, Specifications, Form of Contract and Estimated Cost for the Waverly Dam Reconstruction Project.**

City Administrator Crayne urged the Council to keep moving forward with the project. The EDA application has been approved at the regional level and sent to Washington, D. C. Stanley Consultants will come to the June 21st Public Hearing to answer any questions.

Moved By: Lindell

June 21, 2010 at 7:00 p.m. in the Council Chambers at City Hall is the date, time and place set for a public hearing on plans, specifications, form of contract and estimated cost for the Waverly Dam Reconstruction Project is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Resolution 10-73, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor for the Survey, Inspection and Testing of Seventeen Flood Damaged Properties Acquired by the City Through the 2008 HMGP Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos.**

INRCOG requested that the City approve the ATC Associates bid for \$8,660.00 on advice from FEMA.

Moved By: Boorum

Resolution 10-73, A Resolution of the City Council of the City of Waverly, Iowa, Selecting a Contractor ATC Associates for the Survey, Inspection and Testing of Seventeen Flood Damaged Properties Acquired by the City through the 2008 HMGP Acquisition and Demolition Project to Determine if the Properties have Materials Containing Asbestos in the amount of \$8,660.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Resolution 10-75, A Resolution Stating the Existence of Some Public Improvements Constructed and Maintained as Part of Rolling Meadow Phase 2C that are deemed in need of further investigation and possible repair and Approving the Extension of the Performance Guarantee.**

City Engineer Cherry informed Council that manhole boxout section appeared to be rocking. It is a Council decision to direct the contractor to make repairs on said boxout section. Mr. Butch Kehe stated that his clients built a left turn lane for the Chiropractic Clinic and the City has not compensated them. Another developer was provided City assistance when taking out the median for the Dental Clinic on 10th Avenue and Mr. Kehe's clients feel that the City should provide assistance to them for their median work for the Chiropractic Clinic. The cost of the median work is around \$50,000.00 and the City can provide assistance through Tax Increment Financing. Staff informed Council that there are sidewalks that need to be installed where development has taken place. Economic Development Director Passmore asked if the Economic Development Commission should approve the development agreement to provide assistance for the median. The maintenance bond is due to expire June 19th. The development agreement will come to Council in July.

Moved By: Boorum

Resolution 10-75, A Resolution Stating the Existence of Some Public Improvements Constructed and Maintained as Part of Rolling Meadow Phase 2C that are deemed in need of further investigation and possible repair and establish a date of August 30, 2010 to complete said repairs and Approves the a two year extension of the 4-year Performance Guarantee for sidewalks is hereby approved.

Yes: 6

No: 0

Absent: 1

4. **Review and Approval to Proceed with Park and Open Space Plan.**

Leisure Services Director Ray stated that the Park and Open Space Plan was listed as a priority on the Council's Strategic Plan and is not budgeted. Staff recommends using \$19,000 from Parkland Dedication Fund and the rest would come from the Capital Improvement Fund. This is a request for proposals from professional consultants to do an open space and master plan for the community to follow for the next five to ten years. There is a subcommittee of the Leisure Services Commission to review the RFP's and make recommendation on a consultant. The Commission will review with the consultant the fees and scope of work. The final contract will come to Council for their approval. This plan will be incorporated into the new Comprehensive Plan, SMART Growth, Flood Mitigation and Complete Streets programs.

Moved By: Lindell

Approve proceeding with the request for a professional planner to complete a Park and Open Space Plan utilizing \$20,000 - \$30,000 Parkland Reserve and Capital Improvement Funds is hereby approved.

Yes: 6

No: 0

Absent: 1

5. **Approve Change Order No. 1, 2, and 3 for the Bremer Avenue Traffic Signal Modifications.**

Change Order No. 1 is that KWS Inc. will take ownership of removed items(signal cabinets, controller and cabinet accessories) and there is no increase or decrease in cost. Change Order No. 2 is for insufficient space around the existing poles which makes it necessary to change the location of control cabinets at several intersections. Change Order No. 3 for additional traffic control to meet American's with Disability Act(ADA) for pedestrians was adopted by the IDOT after the project was let and is making it retroactive for the increased cost of \$9,100. The City did receive \$550,000 funding for the project. The project cost came in at \$400,000 and what was left over is targeted for funding of the 2nd Ave SW Reconstruction and the 16th Street SW reconstruction. The increased

amounts of \$12,025.68 and \$9,100.00 will be funded by Tax Increment Financing. Any increased costs have to be absorbed by the City to follow the Federal funding agreement rules. Staff would prefer pedestrian accommodations on every traffic light at every intersection. Staff will review with the consultants the pedestrian accommodations at 10th Street and 15th Street.

Moved By: Vowels

Change order No. 1 for KWS Inc. to take ownership of removed items(signal cabinets, controller and cabinet accessories) is hereby approved.

Change Order No. 2 to install footing mounting cabinets instead of pole-mounted at four intersections for the increased amount of \$12,025.68 is hereby approved.

Change Order No. 3 for additional traffic control to meet American's with Disability Act(ADA) for pedestrians on the American Recovery and Reinvestment Act (ARRA) projects for the increased cost of \$9,100.00 is hereby approved.

Yes: 6

No: 0

Absent: 1

6. **Resolution 10-74, A Resolution Approving an Interlocal Agreement Between the City of Waverly, IA and County of Bremer, IA 2010 Byrne Justice Assistance Grant (JAG) Program Award.**

Police Chief Pursell informed Council that \$12,741 was awarded to the City from the Justice Assistance Grant Byrne program. The City and the County had to enter into an agreement because the City houses their prisoners in another government entity (County Jail) and both agencies have to decide on how the money is spent. Bremer County has declined any of the money so the City will receive the full amount. The funding will be used to replace duty pistols and holsters, duty lights and holsters, Fatal Vision Impairment training kit, and stop sticks.

Moved By: Boorum

Resolution 10-74, A Resolution Approving an Interlocal Agreement Between the City of Waverly, IA and County of Bremer, IA 2010 Byrne Justice Assistance Grant (JAG) Program Award for the amount of \$12,741 is hereby approved.

Yes: 6

No: 0

Absent: 1

7. **Review of the 2nd Avenue SW Reconstruction Project – 2011.**

The City did not do a Federal Aid project last year and so the City combined a two year project to include 2nd Avenue from 4th Street SW to 16th Street SW.

Street reconstruction issues:

- The rising price of liquid asphalt cement means that a concrete pavement is now comparable in cost to an asphalt pavement.
- Concrete paving machines require 3 to 4 feet of excavated clear space behind the back of the curb to operate and a curb and gutter

machine needs 1 to 2 feet and would require removal of many trees.

- Narrowing the street by 3 to 5 feet would save on construction costs, reduce storm water runoff, save trees and increase available snow storage between the curb and sidewalk.
- Staff informed Nancy Larson that her hedge would have to be removed along 2nd Avenue SW for said street reconstruction.
- Discussion followed on reconstructing Iowa Court.
- The 40 foot width will be very costly because there isn't room to bring in bigger equipment and the bigger the equipment the lower the cost.

Parking and speeding issues:

- Narrowing the street would require the parking to be restricted to only one side of the street.
- Narrowing the street may have an impact on driver's speed.
- Hospital employees are required to park in the hospital parking lots but clinic employees park on 2nd Avenue SW.
- Mike Trachta of the Waverly Health Center voiced his concern over more stop signs along 2nd Avenue to 4th Street because ambulances need to get out.
- Jim Hundley requested that the Council consider keeping the 40 feet width of 2nd Avenue SW from 4th Street to 6th Street due to turning traffic at 4th Street.

Sidewalk issues:

- With the new W-SR Middle School opening in the fall of 2011, staff feels that it maybe an appropriate time to extend sidewalk along 2nd Ave SW to get neighborhood kids to school.
- The City could apply for "Safe Routes to School" federal grant funding for the sidewalks.
- David Hampton voiced his concerns with sidewalk installation on the north side of 2nd Avenue SW between 9th and 10th Street SW because the tree in front of his house would have to be removed.

Water main issues:

- First Home Addition has a lot of 4-inch water mains and should be replaced with 8-inch water main.
- The Water Distribution Plan recommended the addition of water main along 2nd Avenue SW from 11th Street SW to 16th Street SW.
- City Engineer Cherry discussed future location of water main replacement in this area.

Drainage issues:

- Mr. Trachta stated that residents have told him that there is a pooling area at 6th Street and 3rd Avenue SW and the storm sewer should be replaced to move the storm water to the river quicker.

Mr. Cherry has to get the concept statement to the DOT by the end of June and they will prepare the funding agreement for Council approval. City will only receive \$150,000 for the project. Staff informed Duane Liddle that there are different setback requirements for different zoning regulations.

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Board of Adjustment Minutes – discussion of off-street parking by the

Schild Museum.

Leisure Services Commission – staff is working on “adopt a lot” lease agreements.

2. **Reports.**

3. **Communications.**

Trees Forever Correspondence – staff will bring back a proposal on the buyout properties. Waverly was selected to participate in a special two-year program to plant more trees for energy conservation and carbon reduction. Meredith Borchardt will present the grant award to the City at the June 28th meeting.

“The W” Report – The “W” Advisory Board will come to a Council Meeting.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

The summer concert series has begun in Kohlmann Park.

Pool admission on Wednesdays is \$2.00 and there was a successful teen dance at the pool last Friday.

Sidewalk repair will come to Council at a later date.

On June 21st there will be a Canine presentation by the Waverly Police Department.

The second Strategic Planning will be in July.

H. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:48 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk