

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on July 7, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Jim Vowels, Gary Grace, Gary Boorum and Cyndi Ecker. Absent: Fred Ribich

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

Moved By: Ecker

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Minutes.**

Moved By: Grace

The June 16, 2008 and June 23, 2008 Council Meeting Minutes are hereby approved as amended in the June 16th minutes the meeting was held in Neumann Auditorium at Wartburg College.

Yes: 6

No: 0

Absent: 1

3. **Guest Councilperson.**

Council welcomed Diane Johnson as the Guest Councilperson for July.

Moved By: Bagelmann

Seconded By: Keller

That the Planning and Zoning Commission Agenda is hereby approved.

Yes: 7

No: 0

Absent: 0

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing by the Waverly Planning and Zoning Commission on a Special Provisional Use for the Waverly-Shell Rock Community Schools Temporary Relocation (Washington Irving School only) to Willow Lawn Mall and Amendment to the Land Use Plan. The proposed location within the mall is on the south side of the building which is located between 20th and 21st Street NW and north of West Bremer. Location of a school facility in any zoning district requires Special Provisional Use approval. Due to the extreme situation caused by the recent flooding and the need for the school to be operational for the start of classes, a joint meeting of the Planning and Zoning Commission meeting and City Council meeting was called. The hearing was declared closed and the following action was taken.

Motion by the Planning and Zoning Commission:

Moved By: Waldstein

Seconded By: Keller

Move that Planning and Zoning Commission recommend to the City Council the approval of a Special Provisional Use for the Waverly-Shell Rock Community Schools Temporary Relocation of Washington Irving Elementary to Willow Lawn Mall is hereby approved.

Yes: 7

No: 0

Absent: 0

Moved By: Keller

Seconded By: Huser

The Plan Amendment for the S-1 District for the Waverly-Shell Rock Community Schools Temporary Relocation of Washington Irving Elementary School to Willow Lawn Mall is hereby approved.

Yes: 7

No: 0

Absent: 0

Moved By: Bagelmann

Seconded By: Wilson

That the July 10th Planning and Zoning Commission Meeting is hereby cancelled.

Yes: 7

No: 0

Absent: 0

Moved By: Keller

Seconded By: Bagelmann

The Planning and Zoning Commission meeting is hereby adjourned.

Yes: 7

No: 0

Absent: 0

This was the date, time and place for a public hearing by the Waverly City Council on a Special Provisional Use for the Waverly-Shell Rock Community Schools Temporary Relocation (Washington Irving School only) to Willow Lawn Mall and Amendment to the Land Use Plan. The proposed location within the mall is on the south side of the building which is located between 20th and 21st Street NW and north of West Bremer. The Mayor called for any oral or written comments and there was none. The hearing was declared closed and the following action was taken.

Motion by the Waverly City Council:

Moved By: Vowels

Resolution 08-100, A Resolution Approving the Special Provisional Use for the Waverly-Shell Rock Community Schools Temporary Relocation of Washington Irving Elementary to Willow Lawn Mall is hereby approved.

Yes: 6

No: 0

Absent: 1

Moved By: Boorum

Resolution 08-101, A Resolution Approving Plan Amendment for the S-1 District for the Waverly-Shell Rock Community Schools Temporary Relocation of Washington Irving Elementary to Willow Lawn Mall is hereby approved.

Yes: 6

No: 0

Absent: 1

C. VISITORS/PUBLIC COMMENTS.

Marty Perry voiced her concerns with storm drains on 3rd Avenue NW and the City's responsibility to minimize damage to properties. Staff informed Ms. Perry that if properties in the floodway and flood plain sustained damage of 50% of their assessed value they could apply to FEMA Buyout program. Property owners who want to rebuild and sustained damage of 50% of their assessed value have to raise their foundations 1 foot over the 100 year flood level or would have to fill in their basements to become non-basements similar to a crawl space. Flood buyout program is based on the severity of damage. Flood insurance covers structures and connecting structures. After the 99 flood the City conducted a flood study and looked at different strategies such as a levy along the Cedar River, inflatable dam, and dredging the river. Ms. Perry stated that all cities up and down the Cedar River should be working together to mitigate flooding. Jim Meyer voiced his concern with adding more development and putting existing housing at risk for flooding.

Gary Meyer stated that his flood insurance won't pay anymore and he can't get a permit to rebuild his dwelling in the floodway because he has sustained more than 50% damage. Building and Zoning Official Ben Kohout informed Council that property owners have the option to go to the City Board of Adjustment to appeal the 1 foot above the 100 year level conforming use. The highest risk area is the floodway. There are 35-40 homes at risk in the dry run floodway and 6 in the Cedar River floodway. Staff stated that the Buyout program results would be available in September and Council asked if City Administrator Crayne could speed up that process. Discussion followed on whether the City should provide loans to buyout properties until owners get back on their feet. Rebecca Winberg questioned Council whether property taxes could

building permit. Staff recommended that the City should wait to see what FEMA will offer homeowners through the buyout program before even thinking of setting up a City loan program.

3. **Creation of Task Force to Work on Hazard Mitigation Plan.**

Consensus was reached to assemble a task force to comprehensively look at threats and impacts of potential hazards to the community including flooding and mitigation of same. This effort could possibly be part of the planning and public input process for development of the City's Hazard mitigation Plan just getting under way and would achieve the requirements of public input and planning requirements for the community, region and state. A Hazard Mitigation Task Force appointed by the Mayor and City Council will examine the threats and impacts of potential community hazards including flooding and mitigation, lessening, or alleviation of said threats and impacts. Adam Roberts of the Iowa Northland Regional Council of Governments reviewed the Hazard Mitigation Plan process. The first meeting would explain the plan and review the 2003 plan. The second meeting would identify hazards and look at mitigation measures. The third meeting would give members a chance to review a Hazard Mitigation Plan draft. A final draft of the Plan will be presented at the fourth meeting along with technical advice. The Hazard Mitigation Plan is renewed every 5 years so the City is eligible for Federal dollars. Federal grants can help with technical expertise. Some of the initiatives supported by the Hazard Mitigation Plan were the Dry Run Creek Study and rerouting and paving dry run creek areas, installation of a Flood Gage. A levy along Kohlmann Park and an Inflatable Dam were initiatives where costs far exceeded benefits. The Plan looks at long term mitigation not only for flooding but other catastrophes. Discussion followed on flood levels of Charles City and Cedar Rapids and communication. Mayor and Council will each provide two appointees for the task force to City Clerk Jo Raap.

4. **Resolution 08-103, A Resolution Approving an Engineering Services Agreement for the 4th Street SW Corridor Improvements.**

Administrator Crayne stated that over the past few months, Mike Cherry and I have been meeting with a number of property owners who are impacted with the intersection improvements of Technology Place and Oak Ridge Circle in conjunction with a corridor improvement of 218 Business involving pavement widening and installation of medians and turn lanes. All affected property owners are in agreement with Option 4 which includes the connection to Oak Ridge Circle of First National Bank and Jerry Roling Motors. All agreements are contingent upon affected property owners receiving fair compensation for any acquisition or damages said property owners may incur. The next step in the engineering process includes the development of property appraisals and more detailed engineering for the project. The IDOT has also approved \$400,000 under the U-STEP program for the City's improvement of the 218B Corridor. The City would then hire appraisers and they would prepare acquisition plats for the project. \$190,000 has been budgeted for preliminary design and updated cost figures. Final costs will be available in December or January. City Engineer Cherry also stated that he was fairly confident that the intersection would warrant a traffic signal.

Mr. Cherry informed Council that the acquisition process is a formal process and the appraisers work alone. Duane Liddle stated he felt this was not the best plan. He is concerned that the project will become too expensive when all of the real estate acquisition dollars are known.

Moved By: Ecker

Resolution 08-103, A Resolution Approving an Engineering Services Agreement with Snyder & Associates, Inc. in the amount of \$189,618 for the 4th Street SW Corridor Improvements is hereby approved.

Yes: 6

No: 0

Absent: 1

