

A Study Session of the Waverly City Council was held on October 26, 2009 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present were: Gary Grace, Fred Ribich, Gary Boorum, Jim Vowels, Gene Lieb, Cyndi Ecker and Duane Liddle. Absent:

A. CALL TO ORDER.

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

Moved By: Grace

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

Yes: 7

No: 0

Absent: 0

B. VISITORS/PUBLIC COMMENTS.

J. D. Francis stated that he has been following an issue since July 6th when the DNR issued a citation to 1404 4th Street SW for blocking a waterway and diverting water to the golf course. The DNR required the City to have the concrete and debris removed from the blocked waterway. The citation was issued in the name of Duane Liddle. The City has made repeated attempts to have this debris cleared on said property and it has not been cleared yet. City Attorney Carney informed Mr. Francis that the City did receive a letter from the DNR regarding this blocked waterway. Mr. Carney sent a letter to the property owner and requested that the property owner apply for a permit to correct the situation. Mr. Carney did not receive any response and Community Development and Zoning Official Kohout then sent a notice to abate. The property owner requested a hearing and the hearing was held last week. The property owner did not appear but indicated a letter was being sent. A decision will be signed and sent out in the next couple of days. A decision will be made if the nuisance needs to be abated. If the decision is made to abate the nuisance the property owner will be given a final date to remove the blockage. Otherwise the City will go in and remove the blockage. It went to a hearing at the administrative level and a decision will be forthcoming. Mr. Carney also informed Mr. Francis that there was no response to his letter to the property owner but the notice to abate was sent certified mail. The property at that address is in two parts. One part is owned by Mr. Liddle and one part is owned by Jesse Jones Corporation. Mr. Carney's letter was addressed to Mr. Liddle as the registered agent for the Jesse Jones Corporation. Mr. Carney informed Mr. Francis that it does not affect the City and it will be addressed. If the City's ignores the blocked waterway it could have some implications. The City is pursuing it. Councilmember Liddle asked if J. D. Francis was going to be paying \$35,000 to repair the defective detention in Impala Subdivision.

C. CONSENT AGENDA.

1. Class B Beer Permit for Godfather's Pizza.
2. Class E Liquor License for Fareway Stores, Inc.

Moved By: Ribich

Items 1 – 2 on the Consent Agenda are hereby approved.

Yes: 7

No: 0

Absent: 0

D. STUDY SESSION.

1. **Mike Bell of RDG Planning and Design Will Present the County Fair / Ball Diamond Final Concept.**

Dan Mc Kenzie stated RDG's design is a result of the two times the Ball Diamond Task Force has come before the City Council. The Task Force put together an inventory of all ball programs in Waverly and found there was a deficiency in ball fields for Waverly and felt that the complex would address the ball diamond needs and Bremer County Fair Board needs. The Task Force asked for funding to work with a design firm to pull together all the ball diamond and Fair Board needs. The Task Force would like to know if the Council would still like to partner in the process and move forward with the project. Mike Bell thanked the groups that participated and stated that the design was a good start to a great project. RDG Planning has done feasibility studies on three sites. The Central Iowa Water Association was the most appropriate site for a sports complex because of topography, wind, solar, hydrology and access. RDG brought the Ball Diamond and Bremer County Fair needs together and looked at local, regional and national trends. The two groups would start fresh and it will take many years. The architecture needs to be affordable and sensible and of the region. The primary component is green architecture but there will be special facilities heightened from a planning and use standpoint. There are 80 acres for the fair, 14 acres for campgrounds, and the baseball/softball complex is about 70 acres. The groups expressed to RDG that they wanted shared facilities to save on costs. The road, the parking, the concessions and maintenance are all shared. The group looked at preserving wetlands and topography and identifying road access to Highway 218 and Highway 3. The Task Force wanted to create a footprint for a 50 or 100 year plan. Land values never decrease and the City should acquire land earlier rather than in the future. There would be industrial, entertainment and ag area. Most fairs being build right now are integrated and they have a common green. The complex could be used for other events. The campground has 60-70 RV sites. The neighborhood park has accessible shelter and open space. The Task Force wanted the sports complex in a park setting. It is about capturing revenue in the community and trails that provide opportunities. It's a second center for the community quality of life including batting cages, plazas, aquatic, and fishing areas. Bleachers and concessions will be a shared use. The park has a trail around it and encompasses a green lawn area for warm-up ball space. There will be a road going south to

Highway 218 and it is better to have the complex right on the highway. The groups could use ground thermal to heat, sun to illuminate and some wind to generate electricity. The complex could be a major draw from a regional perspective creating a new village experience and a facility as a second community hub. No 1 is to identify partners. Vision Iowa and CAT representatives want to know who the partners are. They want to know if the project will bring in tourism dollars. The County, College and the City needs to be involved along with the Fair Board and all Sports Groups. There are funding opportunities if the complex stays green to help in financial hurdles of implementing green technology. The group has to identify typical and non-typical funding sources. Mr. Bell suggested getting a strategic team together that think financially both public and private. Mr. Bell also informed the Council that the final booklet will identify costs. RDG will develop costs based on acre development and utilities. Conceptual and destination architecture and square footage costs will be included. The two groups will have to identify their priorities. The first part of construction may be a utility system and drainage and could be big costs. The document will include relative costs not a phasing plan. The next step will be to identify partners, costs and to make sure the land is acquired.

2. **Update on Flood Recovery Projects and Expenditures.**

City Engineer Cherry reviewed the spreadsheet on flood recovery projects. The City has encumbered \$15 Million in flood mitigation recovery. Most of the projects have federal funding, state funding is about 10% and local contribution for flood recovery projects is zero. Flood Mitigation Assessment will be covered by the Iowa Community Disaster Grant funding program. The preconstruction engineering for the Waverly Dam Reconstruction for \$7,250.00 may move back into the federal share. The repair of the lift stations should be completed by February. The City received FEMA funding for mitigation work at Main Lift Station and the Horton Road Lift Station. The Dry Run Improvement application to the EDA is still pending. The Hesco Barriers and 6" trash pump are covered by federal and state funding. INRCOG has interviewed 12 Housing Buyout owners to check for duplication of benefits and when the duplication of benefit report comes back from the Feds the City can move forward with the project. City Attorney Carney informed Council that three closing were supposed to take place on October 30th but the Federal Government now is requiring title insurance coverage on the buyouts. Five homes have been razed under the emergency demolition program. There are a number of proposed relocations. In the event of the relocation the property owner will receive reimbursement of up to \$10,000 and has to be approved by FEMA. Some have been deferred and they have 6 months to relocate. There have been 4 or 5 homes raised by a private contractor one foot over the 500 year flood level. The totals of the flood recovery projects are \$14,900,000, 13,400,000 in federal funding and a million in state funding. The \$56,000 of the local share may go to zero when the City receives word that Flood Mitigation Assessment is an eligible cost. Iowa Community Disaster Grant Funding totals \$270,000. It will be lower when projects finish up. \$8,000,000 is for Housing Acquisition and demolition

and \$4,000,000 for the Dam Reconstruction. City Engineer Cherry will put the spreadsheet on the City's website and it will be brought back to Council with updates. City Attorney Carney informed Guest Councilperson Jacqui Hansen that there are 73 buyout homes and 11 are in negotiations and 3 are being closed on. Property owners get 110% of their pre-assessed value. All the numbers have to be double checked by Federal authorities before they release the funds. The five that were razed are part of the 73 total. The Emergency Demo homes 7 are on the buyout list. There have been 14 property owners that have been interviewed by INRCOG that are in the process. The buyout program is a staged process. City Administrator Crayne hopes that all 73 homes will be in process by the end of January. INRCOG has increased staff for the buyouts. FEMA takes so long. Mr. Crayne also informed Council that the buyouts go through the Iowa Emergency Management Division and then go through a complete check at FEMA's Kansas City Regional office and then onto Washington D. C. for their review. All the information for all the buyouts for all the communities is assembled at the state level before they could get it off to FEMA. Mr. Carney informed Dick Lindell that INRCOG told him that La Porte City is the only community that has closed on some homes for this district. Economic Development Director Passmore informed Council that HUD representatives have expressed to FEMA representatives that funding is for flood recovery money directed to flooded communities to replace housing but flood victims cannot benefit from the new construction due to duplication of benefits rule. Mr. Passmore told Council that the holdup on buyout applications is the duplication of benefits check. The application also has to go through the Small Business Administration and all other offices. Staff was informed that if a property owner receives any money from HUD it cannot be used on another program. Staff has expressed disappointment to Legislators but to no avail. Four or five property owners have committed to the new construction program and staff has been trying to get the funding approved. A local builder is not happy that he constructed 2 new spec homes and the program has failed to materialize.

E. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
2. Reports.
3. Communications.

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

The closing date for the yardwaste site is on the City's website and it closes on November 21, 2009.

The fountains at the Golf Course will be drained before it freezes.

Police Chief Pursell informed Council that the law states you cannot bike, skateboard, or roller blade in the business district. Public Superintendent Sullivan is going to check on costs for signage and bring it back to Council. There will be signs by the Law Center. The Police Department conducts bicycle training through the schools. Discussion followed on bike riding and skateboarding through the downtown area.

Council thanked Jacqui Hansen for her service as Guest Councilperson for October.

G. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:12 P. M.

Ivan J. Ackerman, Mayor

Attest:

JoEllen Raap, City Clerk