

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on November 3, 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, Fred Ribich and Cyndi Ecker. Absent: None.

Discussion followed on Item No. 1 under Regular Business regarding approving contract documents for the Recycling Center and whether the Resolution could be brought back only by the person from the opposing side or if the project had to be rebid. Mayor Ackerman requested that the resolution be brought back to Council and stated to Councilmember Liddle that he could offer an amendment to the agenda requesting that No. 1 under Regular Business be removed from the agenda.

Moved By: Liddle

To remove Item No. 1 under Regular Business is hereby approved.

Yes: 1

No: 6

Absent: 0

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: 6

No: 1(Liddle)

Absent: 0

2. **Minutes.**

Moved By: Ecker

The October 20, 2008 and October 27, 2008 Council Meeting Minutes are hereby approved.

Councilmember Liddle wanted the wording changed for Item No. 12 under Regular Business in the October 20th minutes. City Attorney Carney thought the wording for Item No. 12 regarding splitting the phases of the Big 6 /Spillway Flood Repairs in the October 20th minutes for safety reasons was appropriate.

Yes: 6

No: 1(Liddle)

Absent: 0

3. **Guest Councilperson.**

Guest Councilperson welcomed Linda Austin as guest councilmember for November.

B. PUBLIC HEARINGS.

C. VISITORS/PUBLIC COMMENTS.

Donna Turnball stated that the revenues for "The W" are \$400,000 so far and the City would be responsible for the rest of the guaranteed payment if revenues did not reach the agreement level. Administrator Crayne informed Ms. Turnball that the City would follow the funding strategy outlined in March 7, 2006 using Recreational Capital Improvement and Capital Improvement funds along with TIF Financing and funds on hand to honor the City's portion of the agreement.

Mayor Ackerman informed Ron Camaratta that it was Council's decision to approve the agenda or they could have amended the agenda to take Item No. 1 under Regular Business off the agenda.

Councilmember Liddle questioned whether flood mitigation can serve an economic development purpose so TIF financing could be used.

Deb Dana asked if the City had begun the flood demo program. City Administrator Crayne informed Ms. Dana that the City is gathering information for a future FEMA demo program of 18 properties that are identified as an immediate health hazard. The demo program is voluntary and property owners will be notified. The program does not impede the flood buyout process and removes properties that are an immediate health hazard. Homes that are current being demolished are doing it privately and want to possibly rebuild.

D. TABLED ITEMS.

E. CONSENT AGENDA.

1. Pay Request from VJ Engineering for the Water Division Building Flood Repair in the amount of \$587.50.
2. Pay Request from VJ Engineering for the Alley Bridge Flood Repair in the amount of \$2,083.75.
3. Pay Request from Kehe Construction Co. for the Wastewater Treatment Plant Improvements 2007 in the amount of \$52,250.00.
4. Pay Request from Heartland Asphalt, Inc. for the 5th Avenue SW & 8th Street SW Reconstruction 2008 Project in the amount of \$100,387.68.
5. Pay Request from Snyder & Associates for the 2009 4th Street SW Reconstruction Project in the amount of \$22,754.16.
6. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$2,100.48.
7. Special Class C Liquor License for Wartburg College.

Moved By: Boorum

Items 1-7 on the Consent Agenda is hereby are approved.

Yes: 7

No: 0

Absent: 0

F. REGULAR BUSINESS.

1. **Resolution 08-155, A Resolution Approving Contract Documents for the Public Services Site Development – Phase 1 – Recycling Center.**

Discussion followed on funds for flood mitigation. Councilmember Lieb stated that the Recycling Center was previously awarded on a 4 to 3 vote. Approving the contract documents was just a formality and there is City liability if said documents are not approved. Mr. Lieb was reassured when the Strategic Plan was amended and flood mitigation was moved as the No. 1 Council priority. He also felt that the Council was moving forward by bringing a bond issue forward for flood mitigation at their November 17th Council meeting. City Attorney Carney informed Council that the City does carry liability if it does not approve contract documents for the project. The contractor has probably lined up bonds and insurance and subcontractors for the project. The City made a commitment to the project when it awarded the contract on a 4 to 3 vote. After discussion Council corrected the number Resolution 08-145 to read Resolution 08-155.

Moved By: Ribich

Resolution 08-155, A Resolution Approving Contract Documents for the Public Services Site Development – Phase 1 – Recycling Center is hereby approved.

Yes: 6

No: 1(Liddle)

Absent: 0

Ron Cameratta again voiced his concerns with doing the project and strongly encouraged the City to wait. Council then voted again on the previous motion.

Yes: 6

No: 1(Liddle)

Absent: 0

2. **Approve Additional Funding of Downtown Holiday Lighting.**

Cyndi Canney and Kelly Engelken of the Waverly Chamber of Commerce were present to request additional funding for Holiday lighting. The current funding for this project comes from Hotel/Motel Tax dollars. The holiday lighting price has not changed since 2002, and has been approximately \$4,000 per year. Ms.

Engelken stated that all the Art in the park is privately funded and no public money is spent for said art.

Moved By: Lieb

Additional Funding of Downtown Holiday Lighting in the amount of \$825.80 to All American Turf Beauty to cover expenses above the budgeted amount is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 08-150, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan.**

The City has to certify annually to the County Auditor the amount of new loans, advances, indebtedness or bonds which qualify for payment from tax increment revenues. The Waverly Urban Renewal Plan includes the Downtown and Grand TIF Districts. New agreements listed on said document included JW Investment (Peoples Insurance), Waverly Family Dentistry, LLC., Heritage Dental Properties, and GEMCO (Miller True Value). All agreements were approved by Council. Projects included under TIF Indebtedness are the 1st Street NW Parking Lot Project and the work around the Walgreens Project.

Moved By: Ribich

Resolution 08-150, A Resolution Accepting Certification Filed by the City Clerk to the Bremer County Auditor Detailing the Amount of Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Urban Renewal Plan is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 08-151, A Resolution Noting the Expiration of Sewer Maintenance Guarantee for Cashman Minor Subdivision.**

Moved By: Ecker

Resolution 08-151, A Resolution Stating that the sewer improvements, constructed and maintained as part of the Cashman Minor Subdivision, are deemed to be in a reasonable state of repair and the Letter of Credit is released as of November 15, 2008 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Change Order No. 4 from The Bruce Company of Wisconsin, Inc. for the Golf Course Expansion Project.**

The Change Orders totaled a net decrease of \$14,544.10 for the cart paths that will be completed in the future. Staff is waiting until the gravel settles over the winter to complete the cart paths. Staff has also received good feedback on the two new holes which will be in play in 2011.

Moved By: Ribich

Approve Change Order No. 4 from The Bruce Company of Wisconsin, Inc. for the increased amount of \$2,129.60 for the Golf Course Expansion Project is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Resolution 08-152, A Resolution Finalizing the Golf Course Expansion Project and Approving the Final Pay Request.**

Moved By: Lieb

Resolution 08-152, A Resolution Finalizing the Golf Course Expansion Project and Approving the Final Pay Request to The Bruce Company of Wisconsin, Inc. in the amount of \$34,340.17 is hereby approved.

Yes: 7

No: 0

Absent: 0

7. **Resolution 08-153, A Resolution Correcting Wording of Resolution 07-93 Establishing Bank Accounts for Wartburg-Waverly Wellness Center.**

The City of Waverly has established two bank accounts – one for credit cards and online transactions and one for cash transactions in accordance with the

Wartburg-Waverly Wellness Center Agreement. The Wellness Center will provide Council with a report on revenues.

Moved By: Ecker

Resolution 08-153, A Resolution Correcting Wording of Resolution 07-93 Establishing Bank Accounts for Wartburg-Waverly Wellness Center is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Award Bid for 2009 Rear-Load New Way Cobra Refuse Packer Body for the Solid Waste Division.**

Moved By: Boorum

The Bid from Elliot Equipment of Davenport, Iowa in the amount of \$23,069.00 for a 2009 Rear-Load New Way Cobra Refuse Packer Body is hereby approved.

Yes: 7

No: 0

Absent: 0

9. **Resolution 08-154, A Resolution Approving a Professional Services Agreement Between the City of Waverly and WHKS & Co. for Repairing Flood Damage on the Piers of the Cedar River Rail Trail Bridge.**

City Engineer Cherry informed Council that the project is 90% federally funded and 10% State funded. The City will front costs and will be reimbursed by said agencies. Mr. Cherry stated that he and Fouad Daoud of WHKS & Co. have met with FEMA's Public Assistance Coordinator on critical preliminary design of the flood damage repair to the piers of the Cedar River Rail Trail Bridge. It will take longer to receive project approval if the Public Assistance Coordinator leaves. The City would then have to deal with officials from the regional and national level. Stanley Consultants are working on flood mapping and updating costs for the inflatable dam for the EDA application. They will present the mapping and costs to Council at the November 24th Council Meeting. INRCOG is also writing the application. Councilmember Liddle asked if this Agreement with WHKS should be brought back at the November 24th Meeting.

Moved By: Lieb

Resolution 08-154, A Resolution Approving a Professional Services Agreement Between the City of Waverly and WHKS & Co. of Mason City, Iowa for a Not-to-Exceed amount of \$197,380.00 for Phase 1 and a Not-to-Exceed amount of \$119,480 (upon Council Approval) for Phase 2 both phases will be 90% Federal (FEMA) and 10% State funded for Repairing Flood Damage on the Piers of the Cedar River Rail Trail Bridge is hereby approved.

Moved By: Liddle

To table Resolution 08-154 until the November 24th Council Meeting is hereby approved.

Mr. Cherry also informed Council that there have been discussions with Waverly Light and Power and Stanley Group about opening up the flood gates to compare river levels with flood mapping.

Fouad Daoud stressed that it would be in the City's best interest to continue to work with the Public Assistance Coordinator that is in the area now on the preliminary design rather than wait and work with regional and national personnel out of the area. Councilmember Liddle withdrew his motion to table Resolution 08-154.

Chris Triplett of the Hazard Mitigation Task Force stated that information on the inflatable dam has never been introduced to the Task Force and Southeast residents have questions on said dam and its impacts. Council requested that staff invite Task Force members to join them at the November 24th Council Meeting.

Yes: 7

No: 0

Absent: 0

G. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
Waverly Chamber of Commerce Minutes – Wine Tasting, November 13th.
2. Reports.
3. Communications.

H. CITY COUNCIL COMMENTS ON POLICY ISSUES.

5th Avenue SW stops at the 4th Street SW sidewalk. The transition of all the streets along the 4th Street SW corridor will have to be repaired when 4th Street SW is reconstructed.

Cash donations for flood victims are to be sent to the Bremer County Recovery Coalition, Attn: Dan Kittle, 100 Wartburg Blvd. Council agreed that the information should be publicized.

City Engineer Cherry informed Councilmember Liddle that the Gabion Baskets used on the west side of 1st Street SW Bridge over the Dry Run is used to stabilize the channel-bank.

Public Services Superintendent Sullivan informed the Council that the City and IDOT dug out the waterway in front of Waverly Tire.

Public Services Superintendent stated that flood cleanup will come to an end November 24th. He requested that residents call the Public Services office if they have flood materials that need to be picked up.

Council complemented the Public Works Department for the excellent job they did cleaning up after the flood.

Administrator Crayne reviewed the City of Waverly Health Insurance Plan costs. There has been a premium savings of \$196,491.36 in 2008 and there will be a \$164,463.96 in 2009.

I. ADJOURNMENT.

Moved By: Boorum

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:39 P. M.

Ivan J. Ackerman, Mayor

Attest:

Jo-Ellen Raap, City Clerk