

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on December 15, 2008, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Duane Liddle, Gene Lieb, Gary Grace, Fred Ribich, Jim Vowels and Cyndi Ecker. Absent: Gary Boorum.

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 as amended by removing Mayoral appointments under Regular Business.

**Yes: 6**

**No: 0**

**Absent: 1**

2. **Minutes.**

**Moved By: Ecker**

The December 1, 2008 Council Meeting Minutes are hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**B. PUBLIC HEARINGS.**

**C. VISITORS/PUBLIC COMMENTS.**

There were no comments.

**D. TABLED ITEMS.**

**E. CONSENT AGENDA.**

1. Pay Request from Snyder & Associates for the 2009 4<sup>th</sup> Street SW Reconstruction Project in the amount of \$28,442.70.
2. Pay Request from Snyder & Associates for the Bremer Avenue Traffic Signal Modifications in the amount of \$17,153.92.
3. Pay Request from VJ Engineering for the Big 6 Plaza Spillway Flood Repair in the amount of \$1,280.00.
4. Pay Request from Tiedt Nursery for the Big 6 Plaza Spillway Flood Repairs Phase 1 in the amount of \$21,638.29.
5. Pay Request from Paul Miller Design, Inc. for Golf Course Improvements – 2008 in the amount of \$1,381.95.

**Moved By: Ribich**

Items 1-5 on the Consent Agenda is hereby are approved.

**Yes: 6**

**No: 0**

**Absent: 1**

**F. REGULAR BUSINESS.**

1. **Review of Preliminary Flood Mitigation Strategies as Discussed by the Hazard Mitigation Plan (HMP) Task Force.**

Adam Roberts informed the Council that the Task Force have had five meetings and a plan is being drafted by INRCOG for presentation to the Task Force. The Flood Mitigation Strategies were not prioritized because the Task Force felt the City would need to study said strategies with assistance from a consultant as needed to determine feasibility and to seek funding when available. City Engineer Cherry informed Kevin Jepkes that the Army Corp. of Engineers was involved in 2001 when the inflatable dam project was identified and twice for the

dry run. The Army Corp of Engineers is again reviewing the inflatable dam project. Mike Flattery informed Marty Perry that the Army Corp of Engineers can do a Reconnaissance Study at a cost of \$100,000 and the Corp will be a part of all the City's mitigation efforts. The City is currently reviewing new improvements to the dry run to meet 100 year flood protection, an engineering study to determine feasibility of adjusting storm sewer outlet in northwest Waverly to combine with outlet below dam to enhance drainage and flood protection (3<sup>rd</sup> Ave and 4<sup>th</sup> St. NW) and an inundation study to assist in determining flood mitigation measures that can be used to assist southeast Waverly and other parts of the community is also being conducted. EDA looks at projects with economic development benefits. Mr. Flattery also stated that if the City had an inflatable dam during this event it would have lowered the river by two feet.

2. **Resolution 08-163, A Resolution Approving a Department of Commerce Economic Development Administration, Grant Application; Authorizing the Mayor to Execute a Memorandum of Understanding; Designating the Mayor as the Official Representative of the City; and Authorizing the Mayor to Affix His Signature to Said Application and Certain Assurance in Conjunction with Same.**

Mike Flattery of Stanley Consultants informed Council that it takes 15 to 30 minutes to deflate the dam in a managed manner to decrease flow in advance of the high flow river events. Mike Flattery of Stanley Consultants stated that capital costs for the inflatable dam are approximately \$4,200,000 and that maintenance and replacement costs have yet to be determined. Gary Iversen of INRCOG said the City will not receive their grant writing and technical assistance fee if the grant is not awarded or if the City does not proceed with the project. Gary Iversen of INRCOG also stated that the application will be filed within a week and the City should receive a response from the EDA within 30 to 60 days.

**Moved By: Lieb**

Resolution 08-163, A Resolution Approving a Department of Commerce Economic Development Administration, Grant Application; Authorizing the Mayor to Execute a Memorandum of Understanding; Designating the Mayor as the Official Representative of the City; and Authorizing the Mayor to Affix His Signature to Said Application and Certain Assurance in Conjunction with Same is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

3. **Resolution 08-164, A Resolution of Support and Financial Commitment for the Main Street Program Administered through Waverly Chamber of Commerce / Main Street in Waverly, Iowa.**

Kelly Engelken informed Council that this is the 20<sup>th</sup> year of the Chamber/Main Street Program. The City currently contributes \$16,000 in support of the Chamber.

**Moved By: Vowels**

Resolution 08-164, A Resolution of Support and Financial Commitment for the Main Street Program Administered through Waverly Chamber of Commerce / Main Street in Waverly, Iowa is hereby approved.

**Yes: 6**

**No: 0**

**Absent: 1**

4. **Resolution 08-176, A Resolution Awarding Bid for a new Fire Rescue Truck for the Waverly Volunteer Fire Department.**

Dennis Happel informed Council that the Waverly Fire Department received two bids on December 9<sup>th</sup> for the new Rescue Truck. Chief Happel stated that all of







**Moved By: Liddle** To amend the previous motion to read:

That the 5<sup>th</sup> Street NW and 5<sup>th</sup> Avenue NW Street Reconstruction Project be deferred until 2010 building season so that \$240,000 LOST matching funds for this project can be used as match for Flood Mitigation Projects is hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

21. **Award Bid for a Cab & Chassis for the Refuse Packer Body for the Solid Waste Division.**

**Moved By: Ribich**

The Bid from Don's Truck Sales of Fairbank, Iowa in the amount of \$67,828.00 for a Cab & Chassis for the Refuse Packer Body is hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

22. **Third and Final Reading of Ordinance 902, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions.**

**Moved By: Vowels**

Third and Final Reading of Ordinance 902, An Ordinance Amending Section 105.4.10 of the Waverly Municipal Code Regarding Additional Parking Restrictions is hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

23. **Second Reading of Ordinance 903, An Ordinance Adopting the "City Code of Waverly, Iowa."**

**Moved By: Vowels**

Second Reading of Ordinance 903, An Ordinance Adopting the "City Code of Waverly, Iowa" is hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

24. **Approval of November Cash Disbursements.**

The Police car windows are tinted for privacy of the citizen being transported. The memorial bench on the Rail Trail was donated to the City.

**Moved By: Ribich**

The November Cash Disbursements are hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

25. **Cancellation of December Study Session.**

**Moved By: Grace**

The Waverly City Council's December Study Session is hereby cancelled.

**Yes: 6** **No: 0** **Absent: 1**

26. **Mayoral Appointments.**

The Council amended the agenda to remove this item.

27. **First Reading of Ordinance 906, An Ordinance Concerning Filling Vacancies on the Board of Hospital Trustees.**

City Attorney Carney stated that the ordinance change was introduced to be consistent with State Law Section 392.6.

**Moved By: Ecker**

First Reading of Ordinance 906, An Ordinance Concerning Filling Vacancies on the Board of Hospital Trustees is hereby approved.

**Yes: 6** **No: 0** **Absent: 1**

28. **First Reading of Ordinance 907, An Ordinance Amending Chapter 100 of the Waverly Municipal Code Regarding Zoning Special Provisional Uses.**

Community Development and Zoning Official Ben Kohout stated that the ordinance amendment was to propose location of institutions in the R-2, R-3, and R-4 zoning districts as a special provisional use. This amendment would allow

