Regular Meeting Minutes September 9, 2013 ~ 7:00 p.m.

A. <u>CALL TO ORDER.</u>

The regular meeting of the Waverly City Council was held on September 9, 2013, at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Gene Lieb, Dan McKenzie, Wes Gade, Chris Neuendorf, Kathy Olson, Gary Boorom and Tim Kangas. Absent: None

Pledge of Allegiance.

Mayor Brunkhorst led the Council in the Pledge of Allegiance.

2. **Prayer.**

Councilmember Boorom led the prayer.

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

Moved By: Olson

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

Yes: 7 No: 0 Absent: 0

4. Minutes.

Moved By: Boorom

The August 19, 2013 and August 26, 2013 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent:

5. **Guest Councilperson.**

Council welcomed Guest Councilperson Diana Blake.

B. **PUBLIC HEARING.**

1. This was the date, time and place for a public hearing on the rezoning of 1402 4th St. SW and amendment to the Future Land Use Plan. The Mayor called for any or written comments. There was a written comment from Michael Wilhelms voicing his concern with a convenience store at that location. Duane Liddle spoke in favor of the project and is a positive for Waverly. Wade Dumond reviewed Kwik Star's specifications for lot size, accessibility and visibility for their store locations. Community Development & Zoning Specialist stated that Kwik Trip or the City have no desire to extend the frontage road beyond where it is today. The hearing was declared closed and the following action was taken.

Moved By: McKenzie

The second reading of Ordinance 973, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning from A-1 (Agricultural District) and R-1 (Single Family Residential District) to C-2 (Commercial District) of Said City for the Property at 1402 4th St. SW and to amend the Future Land Use Plan for the two subject properties from Residential to Commercial and to amend the south three adjacent properties on the Future Land Use Plan from Residential to Mixed Use is hereby approved.

Yes: 7 No: 0 Absent: 0

C. <u>VISITORS/PUBLIC COMMENTS.</u>

Ed Westin requested that the Council consider a proposal to legalize the keeping of backyard laying hens in City limits. The proposal will come back to Council. Duane Liddle voiced concern with dry run area north of Bremer Ave filled with gravel and the dry run by the Waverly Sales. Public Services Superintendent informed Council that Wartburg College cleaned out their Dry Run area and staff cleaned out 12th St. NW Dry Run and will continue dry run maintenance through the fall. .

D. CONSENT AGENDA.

- 1. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Dam Project in the amount of \$55.49.
- 2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$110.99.

- 3. Pay Request from Snyder & Associates, Inc. for the Bremer County Fairgrounds Plat of Survey 2 in the amount of \$1,300.00.
- 4. Pay Request from Tiedt Nursery, LTD for the Riverview Park Project in the amount of \$3,471.60.
- 5. Tobacco permit for the Hookah Lounge.

City Engineer Cherry informed Council that the City still have the historic recognition taking place with Tall Grass Historians. The EDA and CDBG require quarterly reports that are processed by INRCOG.

Moved By: Neuendorf

Items 1 – 5 on the Consent Agenda are hereby approved.

Yes: 7 No: 0 Absent: 0

E. REGULAR BUSINESS.

1. <u>Resolution 13-77, A Resolution Releasing Maintenance Guarantee for the Heritage</u>
<u>Dental Clinic – 10th Avenue SW Left-Turn Lane Public Improvement.</u>

Moved By: Boorom

Resolution 13-77, A Resolution Releasing Maintenance Guarantee for the Heritage Dental Clinic – 10th Avenue SW Left-Turn Lane Public Improvement effective September 14, 2013 is hereby approved.

Yes:7 No:0 Absent: 0

2. Resolution 13-78, A Resolution Approving Contract, Bonds and Certificate of Insurance from Feldman Concrete and Authorizing the Mayor to Sign the Contract for the Citywide Sidewalk Repairs 2013 Project.

Finance Director Bachhuber stated the City will be bonding for the sidewalk repairs next spring.

Moved By: Olson

Resolution 13-78, A Resolution Approving Contract, Bonds and Certificate of Insurance from Feldman Concrete of Dyersville, Iowa and Authorizing the Mayor to Sign the Contract for the Citywide Sidewalk Repairs 2013 Project in the amount of \$103,018.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

3. Approve Change Order No. 1 for the 2013 Bituminous Seal Coat Program.

City Engineer Cherry informed Council that staff was short on their estimate of quantities. Mr. Cherry stated that the sealcoat contractor puts down paper on manholes and water vales. During street construction projects the manholes are brought up to be level with the surface to clean, flush and televise the sewer mains.

Moved By: Neuendorf

Change Order No. 1 for the increased amount of \$10,544.40 for the final adjustment of quantities for the 2013 Bituminous Seal Coat Program is hereby approved.

Yes: 7 No: 0 Absent: 0

4. Resolution 13-79, A Resolution Accepting the 2013 Bituminous Seal Coat Program and Approving Final Pay Request.

Moved By: Gade

Resolution 13-79, A Resolution Accepting the 2013 Bituminous Seal Coat Program from Blacktop Services Co. of Cedar Falls and approves final pay request for \$ 27,968.16 is hereby approved.

Yes: 7 No: 0 Absent: 0

5. Approve/Reject an Indefinite Deferment of Sidewalk for Two Properties.

City Administrator Jones informed Council that there were two properties in Eliasen Addition that had partial sidewalks installed but did not have sidewalks built to connect to the older Crestwood subdivision that does not have sidewalks. After talking the property owners it was decided that the City would defer installing the sidewalks that lead to the older subdivision until there is a safe route or trail program connection. City Engineer Cherry stated that the sidewalks were not installed when they were supposed to be installed. The Council discussed sidewalks going nowhere and second and third

property owners asking why they have to install sidewalks and were not installed when the house was built. Southeast Waverly residents have requested sidewalk connection to Southeast Elementary School. Impala and Prairie Park residents installed sidewalks and Murphy Addition has no sidewalks. Administrator Jones discussed having sidewalk agreements recorded so that it stays with the property so new owners know if there is a project they may need to install sidewalks during a project. Staff will refine language in Resolution 13-80. Mr. Cherry suggested deferments be reviewed every two years and deferments have to be approved by the Council.

Moved By: Kangas

The deferment of sidewalk for two properties until the Biannual Review is hereby approved.

Yes: 7 No: 0 Absent: 0

6. Resolution 13-80, A Resolution Amending Resolution 13-38 Regarding Subdivision Sidewalk Infill Program Criteria.

Moved By: Kangas

Resolution 13-80, A Resolution Amending Resolution 13-38 Regarding Subdivision Sidewalk Infill Program Criteria is hereby approved.

Moved By: Kangas

To table Resolution 13-80 is hereby approved.

Yes: 7 No: 0 Absent: 0

7. <u>Approve Purchase of a Hook-lift Truck Box, Front Mounted Wing, Front Plow, and Hydraulics.</u>

Public Services Superintendent Sullivan informed the Council the hook-lift will have a dump box and sander. The equipment will be able to handle the compacted containers at the Recycling Center. Instead of having a power unit for each different activity, there is one power hook-lift system and different attachments on the single axle truck.

Moved By: Boorom

The purchase of a hook-lift truck-box, front mounted wing, front plow and hydraulics from Don's Truck Sales of Fairbank, Iowa for \$111,960 less trade-in of 2001 Sterling Tandem Axle Truck bid for \$18,000 is hereby approved.

Yes: 7 No: 0 Absent: 0

8. Approve 17-CY Side-Load Refuse Packer (Recycling Truck).

Public Services Superintendent Sullivan informed Council the new recycling truck will be able to handle single stream recycling and compact said materials so staff will only have to make one run to the Center in Waterloo. The Recycling Truck is also equipped with a side tipper so it can be used if a residential garbage truck is down. The new recycling truck is single axle for ease in picking up recycling in alleys. The onboard scale system will allow the City to maximize the allowable loading while reducing the risk of exceeding legal load limits. Mr. Sullivan stated the truck will arrive next March and staff will work to educate the public on single stream recycling. Staff will be reviewing quotes on what the City may get on the recyclables or what the cost will be to dispose of said materials. Administrator Jones also stated small businesses will also be able to participate in the recycling program. Glass will not be accepted for the single stream recycling. Staff will be working on marketing the single stream recycling program.

VV: Suggested Motion.

Moved By: McKenzie

The purchase of a 17-CY Side Load Refuse Packer(Recycling Truck) from Elliott Equipment of Davenport, Iowa for \$207,545 is hereby approved.

Yes: 7 No: 0 Absent: 0

F. BOARDS AND COMMISSIONS.

1. Boards and Commissions.

Leisure Services Commission Minutes – the Commission will be voting on the tobacco free initiative for playgrounds and restrooms at parks this month.

Golf Commission Minutes-best August in the history of the Golf Course.

2. Reports.

3. **Communications.**

Administrator Jones informed Council that City and Chamber staff reviewed downtown parking for future upper story renovations.

The City Unions have ratified the agreement for the new insurance proposal that will begin on October 1st.

The City received the Champions Ridge contract from Bremer County Fair Board with minor adjustments. The Traffic Impact Study is back and will be coming to a study session.

Staff will review the results of the rental workshops for adoption of a streamlined and practical code amendment.

Municipal infraction code will be coming to Council in the future.

Next week there will be an executive session on land issues and an update on pending legal matters.

The Economic Development will be meeting tomorrow at CUNA Mutual building. Administrator Jones thanked staff for helping during his illness.

G. CITY COUNCIL COMMENTS ON POLICY ISSUES.

The Community Strategy Session is tomorrow. The meetings is September 10th at the Heritage Ballroom in Wartburg Seamann Center from 5:00 to 8:30 P. M.

City Attorney Werger stated there will be limit on the number of amendments for the Rental Ordinance.

The Council discussed solid waste containers and bags left out all week and specials for golfers on the City Golf Course.

September 19th is the last day for filing for the City elections.

H. ADJOURNMENT.

Moved By: Booro That the City Coun	m cil Meeting be adjourn	ed.
Yes: 7	No: 0	Absent:0
Council adjourne	d at 8:10 P. M.	
		Bob Brunkhorst, Mayor
Attest:		