

The Cedar Harmony Chorus sang a song for the City Council

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on October 21, 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. Absent: Tim Kangas At Large Seat: Vacant

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

Moved By: Olson

That the agenda for this Council meeting as amended by removing Employee Highlights to a future meeting and corrections to the consent agenda is hereby approved.

Yes: 5 No:0 Absent: 1 At Large Vacant

2. **Minutes.**

Moved By: Neuendorf

The October 7, 2013 Council Meeting Minutes are hereby approved.

Yes: 5 No: 0 Absent: 1 At Large Vacant

3. **Proclamation.**

Moved By: Olson

The Cedar Harmony Chorus Day Proclamation is hereby approved.

Yes: 5 No: 0 Absent: 1 At Large Vacant

4. **Employee Highlights.**

Police Officer Jared Hartwig could not make it to the Council Meeting.

B. VISITORS/PUBLIC COMMENTS.

There were no comments.

C. CONSENT AGENDA.

1. Pay Request from Design Alliance for the Public Services for Operations and Disaster Response in the amount of \$8,299.50..
2. Pay Request from McClure Engineering for the Waverly – Land Acquisition Phase II in the amount of \$1,750.00.
3. Pay Request from Svendsen Tyler, Inc. for the Historic Preservation NW & SE Neighborhood Survey Contract for the amount of \$3,470.00.
4. Pay Request from Feldman Concrete for the Citywide Concrete Sidewalk Repairs 2013 for the amount of \$21,915.43.
5. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for EDA Dam Project in the amount of \$54.93.
6. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$165.54.
7. Class E Liquor License for Fareway Stores, Inc.
8. Class C Liquor License for Blake's.
9. Special Class C Liquor License for Wartburg College.

Moved By: McKenzie

Items 1 –9 on the Consent Agenda are hereby approved.

Yes: 5 No: 0 Absent: 1 At Large Vacant

D. REGULAR BUSINESS.

1. **Resolution 13-86, A Resolution Approving Contract with Svendsen Tyler, Inc. for the SW Waverly Historic Property Survey.**

Library Director Sarah Meyer-Ryerson informed Council that this survey is for the SW area of Waverly. This survey will be paid from State Buyout funds. It is required by law if the City used federal funds to take down properties that are deemed historic. The grant to fund the survey was for \$30,650.00. The proposal that came back was higher than the grant amount and so IEDA was called and will modify the grant amount to cover the difference. In the future the City will have to amend the completion date to allow Ms. Svendsen enough time to complete the survey. The survey benefits are to promote neighborhood pride and realtors identify historic homes in the district. Individual property owners who renovate their property would be eligible for state and federal tax credits. If the historic home is in an area that requires flood insurance said property owners could get the insurance at a reduced rate. The Historic Preservation Commission is hoping to put up signage when the historic districts are established. Ms. Svendsen would complete all forms for the National Registry and submit them to the National Park Service. A property qualifies if it is 50 years old or older or if it was designed by a famous architect or if the property owner was famous Waverly resident. If the property maintains the original design it would have a better chance to be on the National Registry. Once the City has established a strong historic base the City would have an easier time applying for state and other funding.

Moved By: Olson

Resolution 13-86, A Resolution Approving a Contract for the SW Waverly Historic Property Survey with Svendsen Tyler, Inc. for the amount of \$39,935.00 is hereby approved.

Yes: 5

No: 0

Absent: 1 At Large Vacant

2. **Resolution 13- 87, A Resolution Awarding Contract for the South Riverside Park Manhole Grading & Protection Project.**

City Engineer Cherry stated this is part of ongoing restorative work. The City is using a contractor with their specialized equipment for the project for shaping and compacting. The manhole has had continual pounding from high water events which cause erosion. The excavator will be used to go down the embankment and compact the soil and rip rap said embankment. Mr. Cherry informed Guest Councilperson Zachary Schulz that the manhole has been there since the early 1900's and is part of the original layout of the community and for \$10,000 the City is able to protect the manhole for the long term and it would cost five times more to move said manhole.

Moved By: Lieb

Resolution 13-87, A Resolution Awarding Contract to Baker Concrete of Waverly, IA for \$10,750 for the South Riverside Park Manhole Grading & Protection Project is hereby approved.

Yes: 5

No: 0

Absent: 1 At Large vacant.

3. **Approve Bid for the Regenerative Street Sweeper.**

Public Services Superintendent Sullivan informed Council that the sweepers are on a 8 year rotation and is replacing it with a regenerative air instead of a vacuum. Staff has not been satisfied with the vacuum on how it operates and maintenance costs. With the regenerative air machines the City has had less maintenance and repair costs and does a better job over a wider surface. The City looks at the maintenance and tries to get the most use out of the machine before it costs more money and also looks at the trade-in value. Most cities replace their sweepers after 5 to 8 years. The third bid did not meet specifications. The recommendation is for the higher bid because the International is a demo unit and has an engine that are in the City's ambulances and staff has had a lot of problems with said engines. Staff would like to stay away from International units. International has not engineered new engines and they have been buying credits or carbon trading credits. International is now buying engines from outside companies. It is additional cost for the Freightliner Chassis but the City is familiar with their equipment and it has proven to be good equipment. Administrator Jones believes that the upfront investment will save down time and maintenance cost.

Moved By: Neuendorf

The bid from Elliott Equipment of Davenport, Iowa for \$171,199 for the Regenerative Street Sweeper is hereby approved.

Yes: 5

No: 0

Absent: 1 At large vacant

4. **Approve Quote for the Replacement Main Lift Pump Assembly, Motor and Coupling.**

Public Services Superintendent Sullivan informed Council that the City lost all three main pump assemblies in 2008 flood and thought the City should start replacing them with new and have one or two backups. In a weather event the City does not want the main pump to go down for any period of time. Staff is trying to replace pumps over a period of time so as not to reduce wastewater funds too quickly.

Moved By: McKenzie

The quote from Zimmer & Francescon, of Moline, IL for the purchase of one main lift pump assembly, motor, and coupling for the Water Pollution Control Facility for \$18,520 for one main lift pump assembly, motor, and coupling for the Water Pollution Control Facility is hereby approved.

Yes: 5

No: 1

Absent: 1 At Large vacant

5. **Approval of September Cash Disbursements.**

Finance Director Bachhuber stated staff is progressing on installation of water meters. 90% was the target for the end of October and Mr. Bachhuber informed Council staff is very close to the 90% mark.

Moved By: Neuendorf

The September Cash Disbursements are hereby approved.

Yes: 5

No: 0

Absent: 1 At Large vacant

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Leisure Services Commission Minutes-tobacco free parks proposal. It will come to Council the middle of November. Leisure Services Director Ray informed Council that Leisure Services Commission has made the recommendation to prohibit tobacco in the Parks' restroom and the Parks' play areas.

Hazard Mitigation River Use Commission Minutes- there was discussion on controlling erosion on parts of the Cedar and establishing a no-wake zone. At the end of the discussion instead of a no-wake zone the Commission recommended educating the public on safety issues. The Commission is not in favor of a no-wake zone and feels it is the responsibility of adjoining property owners to control the erosion on their banks.

Library Board Minutes- record attendance for programs for children, teen and adults.

2. **Reports.**

State Annual Financial Report – Finance Director Bachhuber stated the state requires this annual report by December 1st. The report includes WLP and Waverly Health Center. This report is accumulation of City activity for 2013.

3. **Communications.**

City Administrator Jones informed Council – Strategic Planning Event at the Library tomorrow. Urban Renewal Amendment Plan is at the Attorney's office in Des Moines. The amendment includes adding land of Champions Ridge, Old CUNA Mutual Building, old Junior High School and land at 10th Ave and Highway 3. The City is combining the two TIF Districts so development could continue downtown. The major complaints on rental housing is overcrowding of single family homes and parking issues. Staff is working on key needs. There will be an action item on Dillovou Oil property west of town. Mr. Dillovou would like to add some fuel tanks and wanted to use the 50 foot setback instead of the 200' setback and the variance was denied by Board of Adjustment.

The Council will act on the request to the Board of Adjustment to rehear the case next week. The concern is how close the diesel tanks will be from residences. The property owners will receive notice of the Board of Adjustment hearing. Pete Lampe informed Council that it will be a hearing for the Board of Adjustment with notice to residents out 250 feet. On October 28th the Council will discuss urban chicken policy and review Council goals and financing. The Hazard Mitigation Plan update will be on the November 4th Council meeting to combine with the County's plan. There will be a Dry Run application for funding on November 4th and discussion on the Irving School property and a Resolution of Intent to acquire property for the airport with updates on appraisals. Mr. Jones stated staff is looking at 2 meetings in November with a study session possibly before the 18th.

The Council welcomed Sister City Visitors. Sister City relationship is based on youth exchange. This year Waverly's Will Reynolds is a foreign exchange student over in Eisenach. Kai Christian Zengis from Eisenach is studying here and staying with Mark and Karen Lehman. Brian Pfaltzgraff, Sister City President, introduced the 22 Eisenach visitors. Keith Collins stated that it was an honor to be host to the Eisenach Visitors and thanked the City for their support. Heike Apel, President of the Eisenach Sister City organization thanked the Council for inviting the visitors to the meeting and their welcome. Matthias Dohr, former Lord Mayor of Eisenach thanked Waverly for their welcome. He said that all visitors are proud of the Sister City relationship. Mr.Dohr extended an invitation to other Waverly residents to come and visit Eisenach. Mr.

Pfaltzgraff introduced the hosting couple of Waverly's foreign exchange student Will Reynolds. The Council and Visitors posed for a picture.

Councilmember Kangas arrived at 8:10 P. M.

6. **City Council At-Large Vacancy.**

City Administrator Jones stated that the first choice for filling the vacancy is to appoint. Residents have 14 days after the appointment to gather 200 signatures to petition for a special election. The other option is for Council to go right into a special election on December 10th or 17th. The voting would be held in the Civic Center. If there is not a consensus on an appointment it is better to go into a special election. Mr. Jones reviewed the Special Election Timeline. If there is no clear winner of the special election the runoff would be on January 7 or 14th. There were 3 people interested in the at large seat but one withdrew. John Campbell stated he was asked by citizens why he hadn't run before for Council. Mr. Campbell feels he could make a positive impact on the Council and future decisions. Bob Brunkhorst stated that he had decided not to seek another term as mayor because of time commitment. Mr Brunkhorst stated it would reduce the amount of time required going from mayor to Council. Diana Blake stated the election may cost money and inconvenient but it gives the people of Waverly a chance to have a voice in their government. Duane Liddle stated he agreed with Diana Blake and recommended the council vote to go through the democratic process. The Council discussed the experience desired for the at large council seat. In an election, other candidates can file papers for the position. Candidate filing date deadline is noon on November 22nd. There was concern in an appointment situation if the current mayor would step into another seat next to a new mayor. Another concern was that an appointment gets in the way of encouraging people to step forward and run for office. Council discussed the concern of new councilmembers going into budget season. Citizens have talked to Council and have said the Council seat is a community position and should go to a vote in honor of Councilman Boorum's legacy. As discussed at the last meeting, there could be a pool referendum in May to submit to voters and the at large Council seat could also go on the ballot, making an appointment term much shorter in duration. Under State Code a group of Community members may petition the City to put a bond referendum on a special election ballot in March, May, August or November. Council discussed having Councilmember Gene Lieb take over the seat as an appointment. Duane Liddle stated he is experienced in City government and would bring experience to the council. Councilmember Lieb still believes that there should be a special election but would reconsider if the Council and citizens want him to take over the seat. There was discussion that a new member could be brought up to speed and would have 2 years before the next City election. The Council has 90 days to fill a vacancy with a special election. There are some black-out dates which are the closest Tuesdays to a regular election because there is too little turn-around time for the auditor. Working with the County, the best dates for a special election would be December 10th or 17th. Usually there is a single voting location for a special election which would be at the Civic Center.

Moved By: Gade

To appoint Bob Brunkhorst to fill the vacant City Council at-large seat

Yes: 3 No: 3(McKenzie, Lieb, Olson) Absent: 0 At Large vacant

Moved By: McKenzie

To fill the vacant City Council at-large seat by a special election on December 17th is hereby approved.

Yes: 4 No: 2(Gade, Neuendorf) Absent: 0 At Large vacant.

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Any Wartburg College houses are not occupied by students which was brought up during the Waverly Newspaper Forum. Also brought out was the cost for the Public Services facility which ranges from \$6.1 to \$7.025. City Engineer Cherry informed Council that the airport land acquisition is to make it safer and more effective for existing airport users to safely land at the airport. Waverly has one of the shortest runways in the state. It causes wear to the airplanes because they have to brake hard and throttle up hard. The extra 400 feet also affects insurance ratings.

Council asked if the bike trail crossing on Bremer Ave should have more signals for crossing pedestrians.

Lower level apartments in the downtown area have to comply to City Building Code. The whole buildings will have sprinklers which is the highest level of security for residents.

Discussion followed on noise from the street sweeper near the dry run.

City Engineer Cherry stated that the contractor will grind rough areas around newly installed sidewalks. Sidewalk installation should finish by the end of the week and move onto the grinding.

Wartburg students crossing to go to DUO's have a hard time crossing Bremer Ave.

Guest Councilperson Schulz thanked Council.

G. EXECUTIVE SESSION.

To discuss collective bargaining strategy for upcoming Public Safety Unit negotiations as provided by Section 20.17(3) of the Code of Iowa.

Moved By: Olson

To enter into Executive Session is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large vacant

Moved By: Olson

To reenter into open session is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large vacant

H. ADJOURNMENT.

Moved By: Neuendorf

That the City Council Meeting be adjourned is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large vacant

Council adjourned at 10:09 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk