

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on January 7, 2013, at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Dan McKenzie, Wes Gade, Chris Neuendorf and Tim Kangas. Absent: Gene Lieb and Kathy Olson. At Large Council Seat: Vacant.

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

Moved By: McKenzie

Moved By: Kangas

To amend agenda by changing item number 2 under Regular Business to a Discussion only item.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

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

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

2. **Minutes.**

Moved By: Kangas

The November 4, 2013 Council Meeting Minutes are hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

B. VISITORS/PUBLIC COMMENTS.

- In response to Duane Liddle's question as to why the City of Waverly was approving a liquor license for Panther Lanes of Tripoli, Iowa, this would be a catering license to approve catering by Panther Lanes for a wedding.
- Duane Liddle questioned the policy for garbage can placement for picking up residential trash along 4th Street SW so as to not have to replace his garbage can multiple times due to damage by traffic. He was also concerned for safety for city employees. Staff replied that garbage has been placed curbside on Highway 3 East for several years without incident.
- City Administrator Phil Jones announced there would be a runoff election for Hospital Board of Trustees position on December 3, 2013. Voting will be done at a centralized voting place that will be at the Civic Center in City Hall and will take place from 7:00 a.m. until 8:00 p.m. If you would like to vote via absentee ballot please contact the Bremer County Courthouse. The same process will take place on December 17, 2013 for the Special Election for the now vacant Council At Large Seat.

C. CONSENT AGENDA.

1. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway for \$46,072.75.
2. Pay Request from Stanley Consultants, Inc. for the Waverly Dam Reconstruction-Phase 4 Construction Admin. & Resident Observation \$9,081.80.
3. Pay Request from Snyder & Associates for Bremer County Fairgrounds Traffic Impact Study for \$1,079.00.
4. Class C Liquor License for Panther Lanes.

Moved By: Neuendorf

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

D. REGULAR BUSINESS.

1. **First Reading of Ordinance 975, An Ordinance Adopting Chapter 72 of the City Code of Waverly, Iowa to Allow Chickens in Residentially Zoned Portions of the City.**

- Some highlights the staff reviewed of the proposed ordinance were:
 - > A registration fee of \$30 good for three years;
 - > Housing of a maximum of 4 laying hens will be allowed but no roosters;
 - > Provisions for a coop not less than 18 inches in height;
 - > A pen surrounding the coop between four square feet per chicken and 12 square feet per chicken, with 48 square feet as maximum allowable pen size;
 - > A minimum setback of twenty-five feet from adjacent property lines to ensure good-neighbor standards are maintained;
 - > Slaughtering chickens and selling eggs is forbidden;
 - > A civil citation such as municipal infraction may be issued for not meeting permit requirements
- The idea of municipal infractions should not be a problem since any infraction would be inclusive.
- Council determined there would be a public hearing as part of the 2nd reading scheduled for December 2, 2013.

Moved By: Neuendorf

Moved By: Kangas

To amend suggested motion by adding to set a public hearing for December 2, 2013 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers .

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

First Reading of Ordinance 975, An Ordinance Adopting Chapter 72 of the City Code of Waverly, Iowa to Allow Chickens in Residentially Zoned Portions of the City is hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

2. **Resolution 13-99, A Resolution in Support Discussion of Silverstone Property Group's Application for Section 42 Federal Low-Income Housing Tax Credits through Iowa Finance Authority.**

- Local developer Rich Dane and business partner Tom Sather are proposing to build Dane's property at 1700 West Bremer Avenue and they reviewed said project;
- This project would create 54 new rentable units to Waverly;
- This project would allow for more workforce housing, allowing more rentable opportunities for professional, families, and those in transition to the community;
- Housing studies show need for more transitional and affordable housing;
- This project would bring a mix of one, two and four bedroom opportunities;
- Location near to West Cedar Elementary to allow families to walk children to and from school;
- Supports Council goals of providing adequate housing for a variety of residential needs;
- In order to be competitive there must be a local component;

- Realtor/Landlord Barb Benson reviewed less favorable points:
 - > There are 250 units in Waverly;
 - > There are current rentals below \$500 per month and there are currently units not rented;
 - > Commercial property tax rates will be reduced and this will remain in commercial zoning;
 - > Landlords in community should be surveyed to see what is available and what is full;
- Duane Liddle commented that anyone with a Section 8 Voucher can be taken by any landlord as long as properties pass inspections, that making left turn from these properties would be very difficult and that moving the buildings would prevent a lot of shadowing;
- Tom Sather said they cannot turn away any “Walking Section 8 Vouchers”.

3. **Resolution 13-100, A Resolution Approving and Ratifying the Purchase of Property from Waverly Shell Rock District for the Waverly Flood Mitigation Project – Phase 2, Dry Run Creek Improvements.**

- Staff and Councilmember McKenzie will be presenting to Iowa Flood Mitigation Board on Thursday, November 21;
- City has offered to purchase property where the old Irving Elementary School stood and intends to use it as a staging site for the Dry Run Flood Mitigation Project;
- This was not property included in the flood buyout program;
- Once the Dry Run Flood Mitigation Project has been complete the City will sell a portion of the property;
- Having the project complete should make the property more desirable to developers

Moved By: Kangas

Resolution 13-100, A Resolution Approving and Ratifying the Purchase of Property from Waverly Shell Rock District for the Waverly Flood Mitigation Project – Phase 2, Dry Run Creek Improvements is hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

4. **Resolution 13-105, A Resolution Declaring the Official Intent of the City of Waverly to Reimburse Expenditures to be Incurred with Respect to Certain Projects or Programs or from Certain Funds with the Proceeds of Debt for Dry Run Creek Drainage Improvements.**

- This is just a formality to allow the City to spend funds now and be reimbursed for them at a later date through a bonding process.

Moved By: McKenzie

Resolution 13-105, A Resolution Declaring the Official Intent of the City of Waverly to Reimburse Expenditures to be Incurred with Respect to Certain Projects or Programs or from Certain Funds with the Proceeds of Debt for the Dry Run Creek Drainage Improvements is hereby approved.

Yes: No: 0 Absent: 2 At Large Vacant: 1

5. **Approve Pay Request No. 4 for the Citywide Sidewalk Repairs 2013.**
Moved By: Neuendorf
The pay request No. 4 from Feldman Concrete for the amount of \$11,828.16 for the Citywide Sidewalk Repairs 2013 is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1
6. **Resolution 13-101, A Resolution Accepting the Citywide Sidewalk Repairs 2013.**
• Restoration of landscape was completed during sidewalk construction.
Moved By: Kangas
Resolution 13-101, A Resolution Accepting the Citywide Sidewalk Repairs 2013 as complete is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1
7. **Approve Change Order No. 1 for the Citywide Sidewalk Repairs 2013.**
Moved By: Kangas
Change order No. 1 for the decreased amount of \$20,889.70 for the Citywide Sidewalk Repairs 2013 is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1
8. **Approve Final Pay Request for the Citywide Sidewalk Repairs 2013.**
Moved By: Neuendorf
The final pay request from Feldman Concrete for the amount of \$4,106.42 for the Citywide Sidewalk Repairs 2013 is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1
9. **Resolution 13-102, A Resolution Finalizing Special Assessments for the City Wide Repairs.**
• Last year there were approximately 27 that went to assessment. Most will pay before that time.
Moved By: Gade
Resolution 13-102, A Resolution Finalizing Special Assessment Schedule for the City Wide Sidewalk Repairs is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1
10. **Resolution 13-103, A Resolution Approving Amendment 8 to the On-Call Agreement with McClure Engineering for the Waverly Airport Mechanic's Room Insulation Replacement Project.**
• Insulation at the Waverly Municipal Airport needs to be replaced due to deterioration. Insulation particles are dropping all over the work place.
Moved By: McKenzie
Resolution 13-103, A Resolution Approving Amendment 8 to the On-Call Agreement with McClure Engineering of Fort Dodge, Iowa for the Waverly Airport Mechanic's Room Insulation Replacement Project in the amount of \$3,130.00 is hereby approved.
Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

11. **Second Reading of Ordinance 974, an Ordinance Adopting the “City Code of the City of Waverly, Iowa.”**

Moved By: Kangas

Second Reading of Ordinance 974, an Ordinance Adopting the “City Code of the City of Waverly, Iowa” is hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

12. **Approval of October Cash Disbursements.**

Moved By: Neuendorf

The October Cash Disbursements are hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

13. **Cancellation of November Study Session.**

Moved By: Kangas

The November Study Session is hereby approved.

Yes: 0 No: 4 Absent: 2 At Large Vacant: 1

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Bremer-Waverly Law Board Minutes

Airport Commission Minutes

Economic Development Commission Minutes

- Issued annual report;
- Raised awareness of Waverly Area Development Fund
- Business Park is not on hold, however the priority has been placed behind the airport land acquisition.

2. **Reports.**

3. **Communications.**

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

- Councilmember Gade will join the Downtown Parking Task Force as Council liaison.
- Dry Run Flood Project financial assistance is important due to flood insurance rates doubling and tripling.

G. ADJOURNMENT.

Moved By: Kangas

That the City Council Meeting be adjourned is hereby approved.

Yes: 4 No: 0 Absent: 2 At Large Vacant: 1

Council adjourned at 8:47 P. M.

Bob Brunkhorst, Mayor

Attest:

Carla Guyer, Deputy City Clerk