

**Regular Meeting Minutes
December 2, 2013 ~ 7:00 p.m.**

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on December 2, 2013, at 7:00 p.m. the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Brunkhorst presided. Council members present: Dan McKenzie, Wes Gade, Chris Neuendorf, Kathy Olson, Absent: Gene Lieb At Large Vacant

1. **Pledge of Allegiance.**

Matt Kangas from Troop 90 led in the Pledge of Allegiance. Matt Kangas informed Council of the trail improvements at Cedar Hill Park for his Eagle Scout Project.

2. **Prayer.**

Councilmember Tim Kangas 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: 5

No: 0

Absent: 2 At Large Vacant

4. **Minutes.**

Moved By: McKenzie

The November 18, 2013 and November 25, 2013 Council Meeting Minutes are hereby approved.

Yes: 5

No: 0

Absent: 2 At Large Vacant

5. **Guest Councilperson.**

The Council welcomed Charles D. Infelt as guest councilperson for December.

6. **Presentation of Plaques.**

City Administrator Jones presented plaques to Mayor Brunkhorst, Kathy Olson, and Dita Boorum for deceased Councilmember Gary Boorum and thanked them for their service for the City of Waverly.

B. PUBLIC HEARING.

1. This was the date, time and place for a public hearing on a proposal to allow chickens in residentially zoned portions of the City. Mayor Brunkhorst stated the subdivision restrictive covenants supersede ordinances and is not enforced by the City. There were no public comments from the floor. The hearing was declared closed. After discussion on Section 72.4(12)"animals" was replaced with "chickens" and "that is newly annexed or" and replaced with "when." The 25 foot setback would create a buffer area to alleviate smells, noise and the pen areas. The permit is for three years.

Moved By: Neuendorf

Second 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: 5

No: 0

Absent: 2 At Large Vacant

B. VISITORS/PUBLIC COMMENTS.

Duane Liddle voiced concern with the placement of City garbage container along 4th St SW.

Celena, Annie and Elizabeth Peerman and neighbors encouraged the Council to work with IDOT to consider a traffic signal at the intersection at West Bremer and Highway 3 West.

Councilmember McKenzie informed Council he, Administrator Jones, Finance Director Bachhuber and City Engineer Cherry went down to Des Moines to present the Flood Mitigation Project on November 21st. City Engineer Cherry and Finance Director Bachhuber did a good job of explaining the details of the project. Councilmember McKenzie stated the City should hear about approval of project funding December 4th.

C. CONSENT AGENDA.

1. Pay Request from Blacktop Service Company for the Citywide Asphalt Patching Fall 2013 for the amount of \$18,744.00.
2. Pay Request from McClure Engineering for the Waverly – Land Acquisition Phase II in the amount of \$3,500.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the CDBG Dam Project in the amount of \$386.56.
4. Pay Request from Global Appraisal Services for the Waverly Municipal Airport Land Acquisition Project for the amount of \$9,500.00.
5. Pay Request from AECOM for the GMT Railroad Spur Line for GMT Corporation for the amount of \$1,861.32.
6. Class E Liquor License for Hy-Vee, Inc.
7. Class E Liquor License for East Bremer Diner.

Moved By: Neuendorf

Items 1 –7 on the Consent Agenda are hereby approved.

Yes: 5

No: 0

Absent: 2 At Large Vacant

D. REGULAR BUSINESS.

1. **Resolution 13-104, A Resolution of the Waverly city Council Authorizing the Execution and Delivery by the City of this River Enhancement Community Attraction and Tourism Agreement for funding the “Shades of Rhythm Amphitheatre Project.**

Leisure Services Director Ray informed Council that the contract is between the City of Waverly and the State of Iowa for the \$78,000 the City has been awarded for the “Shades of Rhythm” Amphitheatre project. Sharon Cashman of the Leisure Services Commission also informed Council the Committee is \$4,600.00 away from the goal of \$285,000. The Committee is still waiting to hear on some other grants and will fundraise up to \$300,000 for additional costs. Plans and Specifications will be completed over the winter with possible May construction. City Attorney Werger stated it was fairly common for groups to continue fundraising during project construction. Dick Moeller also stated the \$285,000 project estimate was presented to the RECAT Committee in Des Moines. Before construction starts there has to be sufficient money in the maintenance fund.

Moved By: Olson

Resolution 13-104, A Resolution of the Waverly City Council Authorizing the Execution and Delivery by the City of this River Enhancement Community Attraction and Tourism Agreement for funding the “Shades of Rhythm Amphitheatre Project and other such Documents as the Vision Iowa Board or the Vision Iowa Board’s Legal Council may reasonably Request, and Specifying Leisure Services Director, Finance Director, and the City Administrator, as Authorized to execute the Agreement and such other Documents that are necessary to bind the City is hereby approved.

Yes: 5

No:0

Absent: 2 At Large Vacant

2. **Resolution 13-106 , A Resolution Approving a Special Provisional Use for the Bremer County Fair Entertainment Grounds along Highway 3 West in SW Waverly.**

Community Development and Zoning Specialist Kohout informed Council Champions Ridge is zoned A-1 but allows for entertainment grounds with special provisional use approval. Kevin Rasing stated the Bremer County Fair will work with neighbors on event timing.

Moved By: Kangas

Resolution 13- 106, A Resolution Approving a Special Provisional Use for the Bremer County Fair Entertainment Grounds along Highway 3 West in SW Waverly is hereby approved.

Yes: 5

No: 0

Absent: 2 At Large Vacant

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

Brent Matthias informed Council that the Economic Development Commission approved the project unanimously. Rich Dane informed Council the City is experiencing a need for quality affordable housing. It will add an estimated \$1.6 Million in property tax to the community in the next 30 years. Mr. Dane has requested an rebate of \$55,000 a year for 10 years. Tom Sather informed Council the Federal Government filters funds to the States and the Iowa Finance Authority administers the funds annually to the projects that are most worthy. With funding from the Iowa Finance Authority the rent would be around \$750.00. Mr. Sather stated that he has not done a tax credit project that has not had public/private investment. The request is to meet the 6% project cost local contribution level the for the IFA process. The annual application deadline is Monday, December 9th. There will be 101 parking stalls. 15% of the units will rent at the market rate. The majority of the balance of the units will be eligible to anyone who makes 60% or less of County medium income. Four units are set aside for anyone who makes 30% of County medium income. The City benefit of the program would be the Federal funding for the project to bring more residents to the City. Part of the application process is to do an analysis of the community rental need and said analysis has to support the need for 54 additional units in the City. Brent Matthias informed Council the Economic Development Commission supports the capital investment for Waverly. Mr. Sather believes that the project will have a positive effect on the community. Based on what the assessments will be over 30 years and the 10 year rebatement the benefit to the City will be over \$70,000 a year. Developer Jim Benda also informed Council he was proposing 30 units in the old Junior High School. Mr. Benda stated if the City wants growth and see projects happen the City has to support them. Mr. Benda also stated the City should be in support of the project and the partnership. Realtors Barb Benson, Real Estate Investor Tim Bradford and Developer Barth Steere are not in support of the project. City Administrator Jones reviewed different options regarding rebates for Multi-Family housing and residential and commercial rollbacks. The project will have to be approved by the Iowa Finance Authority, the bank, the developers and equity investors.

Moved By: Olson

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

Yes: 4 No: 1(Gade) Absent: 2 At Large Vacant

4. **Review of Waverly Light and Power Amended 2013 Budget and 2014 Adopted Budget.**

Vicki Hall informed Council Waverly Light and Power amended the 2013 Budget because the Board approved \$4 Million in bonding, four CAT generators at the north plant and decreased the purchase power expenses. In the 2014 there will be several capital projects including the West Substation Project, installation of four generators, the AMR metering project, Cedar River Parkway lighting, raising the stack from the generator, and feeder lines installs along with overhead and underground. Ms. Hall reviewed the total transfers to the City of \$861,440. The average rate increase will be 1.5% and less than 1% increase to residential customers. Interim General Manager Litterer stated WLP advertises the programs they offer. Starting January 1st WLP will have a 1.5% average rate increase over rate classes. In general the residential average is .3% and is dependent on usage. Commercial and industrial will be a little over the 1.1/2% based on cost of services study WLP did. WLP dropped the 4th tier in the residential rates for the summer and the 2nd and 3rd tiers have gone down.

5. **Review of Waverly Communications Utility d/b/a Waverly Light and Power Budget.**

The Waverly Communications Utility is currently conducting a feasibility study. No setup costs were included in the budget. \$25,000 is paid by the Electric Utility because they are studying the fiber assets the Utility owns and is under the Electric Utility budget. Mr. Litterer informed Council that the Utility has hired Magellan Advisors to do the Feasibility Study and was approved by the Task Force. The Utility has scheduled two Community outreach days on December 11th from 6:00 P. M. to 8:00 P. M. and on the 12th from 11:00 A. M. to 1:00 P. M. and Waverly Business Owners may come on December 11th from 7:30 A. M. to 9:30 A. M. and on December 12th from 2:00 to 4:00 P. M. There will be separate meetings with large industrial customers, government units, educational facilities and health care facilities. There are surveys online on the WLP website.

6. **Resolution 13-107, A Resolution Approving a Pro Shop Lease Agreement.**

The Pro Shop Lease Agreement is for 3 years. The second agreement is for Country Club rent of the Golf Course from the City so they can sell alcohol on the Course. Administrator Jones stated staff and the Commission agreed to continue with the agreements now and look at future changes to long term agreements. Alcohol and cart sales are the structural changes that could change the revenue picture at the golf course. Golf Commissioner Larry Van Daalen stated there is not significant amount of alcohol sold on the Golf Course. Mr. Van Daalen informed Council that if the City wants part of revenues to generate additional income by the Country Club, the City will have to participate in expenditures to run the Club. The Golf Commission has studied revenues and expenditures for many years.

Moved By: McKenzie

12. **Mayoral Appointments.**

Moved By: Neuendorf

The Mayoral Appointment of Ann Seggerman and Reappointment Gene Drape to the Waverly Light & Power Board and the Waverly Communications Board are hereby approved.

Yes: 5

No: 0

Absent: 2 At Large Vacant

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

2. **Reports.**

3. **Communications.**

City Administrator Jones reviewed agenda items for the December 16th Council Meeting. Mr. Jones is setting up budget sessions for newly elected Mayor and Councilmembers.

F. CITY COUNCIL COMMENTS ON POLICY ISSUES.

Guest Councilperson Charles Infelt felt that the Council was moving in the right direction.

Prayers go out to Councilmember Gene Lieb.

Discussion followed on Small Business Saturday and Hospice Tour of Homes. December 8th and Christmas on Main is December 12th.

The runoff of the Hospital Trustee Election is tomorrow at the Civic Center from 7:00 A. M. to 8:00 P. M. and the Special Election for the At-Large Seat will be December 17th at the Civic Center from 7:00 A. M. to 8:00 P. M.

G. ADJOURNMENT.

Moved By: Olson

That the City Council Meeting be adjourned.

Yes: 5

No: 0

Absent: 2 At Large Vacant

Council adjourned at 9:52 P. M.

Bob Brunkhorst, Mayor

Attest:

Jo-Ellen Raap, City Clerk