

**Work Session Minutes
Waverly Civic Center**

and

Regular Meeting Minutes

**Ivan “Ike” Ackerman Council Chambers
January 20, 2014**

A work session meeting of the Waverly City Council was held on January 20, 2014 at 6:00 P. M. in the Civic Center at City Hall. Mayor Infelt presided and the following Council Members were present: McKenzie, Wygle, Neuendorf, Gade, Kangas, and Reznicek.

Discussion was held regarding the drafting of Rules of Procedure and Ethical Conduct Code for Council. There was not time to discuss Urban Chickens.

Council adjourned at 6:55 P. M. to assemble for the regularly scheduled Council Meeting.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

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

Moved By: Neuendorf Seconded By: McKenzie

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

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

2. **Minutes.**

Moved By: McKenzie Seconded By: Wygle

The January 6, 2014 Council Meeting Minutes are hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

B. PUBLIC HEARING.

1. **This was the date, time and place for a public hearing for the “Shades of Rhythm” Amphitheatre.**

- City Attorney Bill Werger provided a written legal opinion on zoning issues.
- Duane Liddle provided written comments prior to this meeting that opposed the project. Mr. Liddle also voiced concerns in opposition of the project.
- Patty Klossowsky expressed concerns in opposition of the project.
- Mark Mueller voiced his views in support of the project.
- Councilman Gade recollected that the Municipal Band was to have all funds raised and additional amount of 3% of the estimated project costs in the form of a Maintenance Bond.

- Councilman Neuendorf referred to the June 3, 2013 City Council Minutes reflected this project passed and should now move forward and even though he was not in favor of it then, he is now.
- Councilman Reznicek thanked all the volunteers for this project and commented that this project is very important for the City of Waverly.

The hearing was declared closed and the following action was taken.

Moved By: McKenzie Seconded By: Neuendorf

Resolution 14-08, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the "Shades of Rhythm" Amphitheatre is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

2. **This was the date, time and place for a public hearing for the Chemical Storage Building at the Waverly Waste Water Treatment Plant.**

- There were no public comments.

The hearing was declared closed and the following action was taken.

Moved By: Kangas Seconded By: Wygle

Resolution 14-09, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the Chemical Storage Building at the Waverly Waste Water Treatment Plant is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

C. CONSENT AGENDA.

1. Pay Request from McClure Engineering for the Waverly Land Acquisition Phase II for the amount of \$3,500.00.
2. Pay Request from McClure Engineering for the Waverly Airport Mechanical Room Insulation Replacement \$3,130.00.
3. Class C Liquor License for Joe's Knight Hawk.

Moved By: Neuendorf Seconded By: Reznicek

Items 1 –3 on the Consent Agenda are hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

D. REGULAR BUSINESS.

1. **Resolution 14-04, A Resolution Approving an Agreement Between the City of Waverly and the Flood Mitigation Board for Use of Sales Tax Revenues through the State of Iowa Flood Mitigation Program for the Waverly Flood Mitigation Project (Dry Run Creek Improvements).**

- Patty Klossowsky stated that the Dry Run was not responsible for creating the flooding issues but that it is the river causing this. She is also concerned with the removal of more lower/middle income housing.
- Councilman McKenzie clarified with the City Administrator that we will bond for this project and use property tax dollars and State Sales Tax dollars to pay the bond.

- Councilman Gade commented that this was a difficult decision but is in favor of the project due to lowering of flood insurance premiums and added that the project will be 60% State funded.

Moved By: McKenzie Seconded By: Neuendorf

Resolution 14-04, A Resolution Approving an Agreement Between the City of Waverly and the Flood Mitigation Board for use of Sales Tax Revenues through the State of Iowa Flood Mitigation Program for the Waverly Flood Mitigation Project (Dry Run Creek Improvements) is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

2. **Resolution 14-05, A Resolution Approving a Supplemental Agreement No. 1 to the Professional Services Agreement for the Dry Run Creek Improvements Project.**

Moved By: Neuendorf Seconded By: Wygle

Resolution 14-05, A Resolution Approving a Supplemental Agreement No. 1 to the Professional Services Agreement with WHKS & Co. \$753,897.00 for the Dry Run Creek Improvements Project is hereby approved

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

3. **Resolution 14-06, A Resolution Setting a Public Hearing for Notice of Intent to Commence a Public Improvement Project, to construct the Dry Run Creek Improvements project, and to acquire property and easements for the project.**

Moved By: Kangas Seconded By: McKenzie

Resolution 14-06, A Resolution Setting a Public Hearing Date of March 3, 2014, at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers for Notice of Intent to Commence a Public Improvement Project to construct the Dry Run Creek Improvements Project, and to acquire property and easements for the project is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

4. **Set Public Hearing Date for Citywide Pedestrian Ramp Reconstruction 2013 Project.**

- This project will be from Bremer Avenue west to the Railroad tracks and over to 12th Street NW.

Moved By: Neuendorf Seconded By: Reznicek

February 3, 2014 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers is hereby set as the date, time and place for a public hearing for the Citywide Pedestrian Ramp Reconstruction 2014 project and is hereby approved.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

5. **First Reading of Ordinance 976, An Ordinance Amending Chapter 105 of the Waverly City Code to Allow for Angle Parking on the East Side of 11th Street NW and One-Way Direction Traffic Regulations for the 100 Block of 11th Street NW.**

- City Administrator Jones explained that this project was created to improve the parking situation within the proposed area.

9. **Cancellation of January Study Session.**

Moved By: Reznicek Seconded By: McKenzie

The January Study Session is hereby cancelled.

Yes: 6 No: 0 Absent: 0 At Large Vacant: 1

E. BOARDS AND COMMISSIONS.

1. **Boards and Commissions.**

Bremer-Waverly Law Enforcement Board Minutes

- The City of Waverly has both voting positions vacant at this time.

Leisure Services Commission

- There were no additional comments.

Board of Adjustment Minutes

- The Dillavou was reviewed and the variance was approved.

Planning & Zoning Commission Minutes

- There was discussion regarding mixed housing and buffer requirements. They also discussed revisions for 5 year review for next year.

Library Board Minutes

- There is one open Council Liaison position on the Library Board of Trustees.

2. **Reports.**

“The W” Report

- There were no additional comments.

Departmental Status Report

- There were no additional comments.

3. **Communications.**

- There were none.

F. CITY COUNCIL COMMENTS.

- Guest Councilwoman Edith Waldstein commented that she was glad to be at the council meeting and looking forward to many future meetings.

G. MAYOR COMMENTS.

- Commented that he feels there is a lot of energy within our government and we are all pulling together. He also thanked Doug Mraz for his participation as guest council person..

H. VISITORS/PUBLIC COMMENTS.

- John Campbell inquired about the Rules of Procedure time limits for removing an agenda item (Urban Chickens) and putting it back on the agenda.
- Duane Liddle expressed concern for streamlining meetings down to 2 per month and the number of executive sessions being held.
- Councilman Kangas commented that the executive sessions are held for the purpose stated in the agenda and according to Iowa State Code.

