

**Work Session Minutes
Waverly Civic Center
and
Regular Meeting Minutes
Ivan “Ike” Ackerman Council Chambers
February 17, 2014**

A work session meeting of the Waverly City Council was held on February 17, 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, Waldstein and Reznicek.

Waverly Light & Power Board Chair Gene Drape introduced Mr. John Honker of Magellan Advisors. Mike Litterer of Waverly Light & Power reviewed the history of Broadband and the Broadband Task Force. Magellan Advisors were chosen to conduct a feasibility study. In December Magellan Advisors met with residential, commercial, educational, health care and industrial customers to determine the level of communication services in Waverly. During the study, Magellan Advisors met with potential partners. The Final Broadband Feasibility Study Report will be presented to Waverly City Council on March 3rd and to the Waverly Light & Power Board on March 4th. Mr. Honker also reviewed the steps of the Feasibility Study. Darrel Wenzel, New WLP General Manager stated utility providers work together to basically share services to communities. Mr. Litterer also informed group members that by law the electric utility cannot support the Telecommunication Utility. The Telecommunication Utility would be a separate enterprise fund.

City Administrator Jones informed attending members that he, City Attorney Werger and Finance Director Bachhuber worked on Urban Renewal/TIF Financing for the Dry Run. Mr. Jones stated the Dry Run corridor could be TIF eligible but there is not capacity to use TIF unless offset from other projects. Considering the savings on the bids for the Cedar River Parkway, the City can issue less debt and leaving capacity in the TIF funds to cash finance incentive programs for Downtown or buy land for a business park.

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: Waldstein

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

Yes: 7 No: 0 Absent: 0

2. Minutes.

Moved By: McKenzie Seconded By: Neuendorf

The February 3, 2014 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

B. VISITORS/PUBLIC COMMENTS.

Fred Ribich from the Champions Ridge Taskforce informed Council that the Bremer County Fair and Ball Diamonds are continuing fundraising efforts. Also, the groups are pursuing grant applications. The deadline for CAT Grants is July 15th this year. The group is looking into a Walmart grant and NE Iowa Community Foundation and are checking on Professional Baseball grants. One Vision will be working on a public fundraising campaign. All Ball groups are looking into consolidating under one group and filing for a 501C3 organization. City Attorney Werger informed Patty Klossowsky the City is moving forward on the appraisals at the request of affected property owners who want to know the price they will

receive for their home and can move forward with their plans. The City is working with any property owner that has a reason to delay their appraisal.

Mayor Infelt informed Duane Liddle the Council gets together before the regular session with a meal to provide convenience for councilmembers who are rushing from work and offers a time for Council and staff to bind together.

Wartburg College is working on sound for Council Meetings.

Eagle Ridge Drive east outlet provides public benefit for emergency services. City Attorney Werger stated that Eagle Ridge Drive east outlet has been accepted as a City right-of-way in its current condition.

C. CONSENT AGENDA.

1. Pay Request from Stanley Consultants for the Cedar River LOMR for \$3,013.00.
2. Pay Request from Reilly Construction Co for the GMT Railroad Spur for \$54,257.33.
3. Class B Liquor License for Happy Hour Bar.
4. Class C Beer Permit for Dollar General Store.

Moved By: Waldstein Seconded By: Reznicek

The Consent Agenda items are hereby approved.

Yes: 7 No: 0 Absent: 0

D. REGULAR BUSINESS.

1. **Resolution 14-14, A Resolution Awarding Contract for the Cedar River Parkway (West) improvements 2014.**

City Engineer Cherry stated a second street connection from 10th Ave SW. to Cedar River Parkway was not in the plans and specifications because of traffic safety and to reroute traffic from Jahnke and Eliassen Addition. There is water and sewer that does connect across to Cedar River Parkway for future development.

Moved By: Neuendorf Seconded By: Kangas

Resolution 14-14, A Resolution Awarding Contract to Peterson Contractors for the Cedar River Parkway (West) improvements 2014 for \$2,999,798.10 is hereby approved.

Discussion followed on the recommended financing mechanism provided by City Administrator Jones. Mr. Jones informed Council that the bid was \$500,000 under what was expected and can reduce the TIF Bond debt. Mr. Jones reviewed financing for other Council priorities. Council discussed using TIF for the Dry Run project and GO's to fund other priority projects. Mr. Jones stated a major portion of town coming out of TIF in 2017 with changes to the rollback, means and the City needs the flexibility in the TIF. Many of the priority projects have been in the plan for 5 years or more. Mayor Infelt stated the project allows for future growth. Mr. Jones also stated the whole dry run could be put into TIF but it does not generate any money. Mr. Jones will run the formulas for the use or nonuse of TIF for the Dry Run Project. City Engineer Cherry stated delaying the approval of the bid for one week would not cause any problems. When the savings of the \$500,000 from the bids on the project, staff thought it would be wise to reduce the issue. Finance Director Bachhuber informed Council that the Council is setting the public hearing on the budget for March 3rd. If the Cedar River Parkway goes into GO Bonds that raises the debt service levy rate which raises the total tax levy rate.

Moved By: Gade Seconded By: Reznicek

To table the Resolution until the February 24th Council Meeting.

Yes: 4 No:3(McKenzie, Neuendorf, Waldstein) Absent: 0

2. **Resolution 14-15, A Resolution Approving the Supplemental Agreement No. 1 for the Cedar River Parkway (West) Improvements 2014.**

Moved By:

Seconded By:

Resolution 14-15 approving the Supplemental Agreement No. 1 for the Cedar River Parkway (West) Improvements 2014.

Moved By: Kangas

Seconded by: Wygle

To table Resolution until the February 24th Council Meeting.

Yes: 6

No: 1(McKenzie) Absent: 0

3. **Resolution 14-16, A Resolution Awarding Contract for the 4th Street NW Reconstruction 2014.**

Moved By: Kangas

Seconded By: Gade

Resolution 14-16, A Resolution Awarding Contract to Heartland Asphalt for \$628,172.30 for the 4th Street NW Reconstruction 2014 is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 14-17, A Resolution Awarding Contract for the Citywide Pedestrian Ramp Construction 2014.**

Moved By: Neuendorf

Seconded By: Waldstein

Resolution 14-17, A Resolution Awarding Contract to Feldman Concrete for \$113,296.00 for the Citywide Pedestrian Ramp Reconstruction 2014 is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Third 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, Elimination of the West Side Parallel Parking and One-Way Direction Traffic regulations for the 100 Block of 11th Street NW and for One-Way Direction Traffic Regulations for the alley between 10th Street NW and 11th Street NW.**

Moved By: Kangas

Seconded By: Waldstein

Third 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, Elimination of the West Side Parallel Parking and One-Way Direction Traffic regulations for the 100 Block of 11th Street NW and for One-Way Direction Traffic Regulations for the alley between 10th Street NW and 11th Street NW.

Yes: 7

No: 0

Absent: 0

6. **Third and Final 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.**

Ed Weston stated that crows make more noise than the chickens. His chickens are housed in the garage. There was conversation on disease control, maintenance and inspections, drainage and whether neighbors should be notified. The City does not have the staff for enforcement of the ordinance. City Attorney Werger stated that the City can use municipal infractions for people who abuse the chicken ordinance. The Council also discussed citizens who are already in violation of the code, creating neighbor problems, and licensing. Mr. Weston stated that the investment of housing chickens and pen, etc. is about \$250. Community Development & Zoning Specialist Kohout stated that the ordinance was drafted from the Mt. Vernon ordinance with minimum standards. The ordinance was drafted to keep pens, fowl house, coop away from the property line.

Moved By: Waldstein

Seconded By: Neuendorf

Third and Final 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.

Yes: 4

No: 3(Kangas, Reznicek, McKenzie) Absent: 0

7. **Resolution 14-18, A Resolution to Set a Public Hearing Date on the Transfer of the City Right-of-Way, of the Vacated Alley and Easement within Block 38, of Harmon and Le Valley's Addition to Waverly Shell Rock Schools.**
Moved By: Kangas **Seconded By: McKenzie**
Resolution 14-18, A Resolution to Set a Public Hearing Date of March 3, 2014 at 7:00 in the Ivan "Ike" Council Chambers at City Hall on the Transfer of the City Right-of-Way, of the Vacated Alley and Easement within Block 38, of Harmon and Le Valley's Addition to Waverly Shell Rock Schools is hereby approved.
Yes: 7 **No: 0** **Absent: 0**
8. **Resolution 14-19, A Resolution Approving a Contract for Engineering Services with Water's Edge Aquatic Design PLC for the Outdoor Pool Renovation Project.**
Administrator Jones informed Council the issue of \$700,000 General Corporate Purpose Bonds is to do a program to give the existing pool both a mechanical and cosmetic facelift until the City can support a major renovation and develop a future Memorial Park plan.
Moved By: Kangas **Seconded By: Wygle**
Resolution 14-19, A Resolution Approving a Contract for Engineering Services with Water's Edge Aquatic Design PLC for \$52,800.00 for the Outdoor Pool Renovation Project is hereby approved.
Yes: 7 **No: 0** **Absent: 0**
9. **Set Public Hearing Date for the 2014 Bituminous Seal Coat Program.**
Moved By: Neuendorf **Seconded By: Kangas**
March 3, 2014 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers is the date, time and place for said public hearing on the 2014 Bituminous Seal Coat Program and is hereby approved.
Yes: 7 **No: 0** **Absent: 0**
10. **Set Public Hearing Date for the Budget Fiscal Year 2014 – 2015.**
Moved By: Kangas **Seconded By: Waldstein**
March 3, 2014 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers is the date, time and place for said public hearing on the Budget Fiscal Year 2014 – 2015.
Yes: 7 **No: 0** **Absent: 0**
11. **Approval of January Cash Disbursements.**
Moved By: Waldstein **Seconded By: Wygle**
The January Cash Disbursements are hereby approved.
Yes: 7 **No: 0** **Absent: 0**
12. **Cancellation of February Study Session.**
No motion was made.
13. **Discussion on Draft Rules of Procedure.**
Moved By: Kangas **Seconded By: Neuendorf**
To table this item to the February 24, 2014 agenda.
Yes: 7 **No: 0** **Absent: 0**
14. **Mayoral Appointments and Council Assignments.**
Council Liaisons
Tim Kangas and Edith Waldstein for Planning & Zoning Commission.
Dan McKenzie and Dave Reznicek for Economic Development Commission
Edith Waldstein to the Library Board
Dave Reznicek to the Airport Commission
Dan McKenzie and Derek Wygle to the Public Safety Board.
Wes Gade to the Municipal Housing Commission
Wes Gade to the Golf Course Commission

Chris Neuendorf and Derrick Wygle to Leisure Services Commission
Chris Neuendorf to Hazard Mitigation-River Use Commission
Chris Neuendorf to Electric Utility Board of Trustees.
Wes Gade to Historic Preservation Commission
Dan McKenzie & Wes Gade to Ball Diamond Task Force
Chris Neuendorf to Wartburg Waverly Sports & Wellness Center Advisory Committee
Mayor Infelt and Dan McKenzie to the Waverly Chamber of Commerce.
Chris Neuendorf to Cable Telecommunications Commission.
Tim Kangas to Zoning Board of Adjustments

E. Reports from Boards and Commissions:

Hazard Mitigation/River Use Commission – no wake zone

F. Staff Comments.

There will be a bid award for to redesign of the website on March 3rd.
Staff is working with an ad agency from Wartburg College to look at strategies on how to take on a new website and social media.
Public Services Superintendent Sullivan announced that frost is still in the ground and advised citizens to check the temperature of their water and keep it running continuously. Mr. Sullivan asked if residents who are near catch basins to please clean snow off the basins.

G. City Council Comments

The Chair and Council Liaison of the Leisure Services Commission are usually representatives on “The W” Board.

H. Mayors comments

Mayor Infelt was pleased that people are helping people with snow.
Friday there was a meeting about serving people with hunger needs. The vision is for Waverly to be hunger free.

I. Adjournment

Moved By: Kangas

That the Council Meeting adjourn.

Yes: 7

No: 0

Council adjourned at 9:05 P. M.

Seconded By: Neuendorf

Absent: 0

Charles D. Infelt, Mayor

Attest:

Jo-Ellen Raap, City Clerk