

**Regular Meeting Minutes and
Work Session Minutes**

Waverly Civic Center

March 3, 2014

A work session meeting of the Waverly City Council was held on March 3, 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. Mayor Infelt introduced Guest Councilperson Deb Pendleton to Councilmembers and Staff. City Administrator Jones reviewed the new urban renewal plan with Council. The plan unifies both the Downtown Business and Grand TIF Urban Renewal areas. The City uses TIF for economic development. The unified Urban Renewal Plan Amendment No. 1 includes the land and infrastructure improvements and for future land purchases for Champions Ridge Development, construction of the west phase of Cedar River Parkway, Airport Runway Rehabilitation, reconstruction of 4th St. NW, new Business Park and box culvert for the Dry Run. The Plan also provides for reimbursement for economic development activities, downtown redevelopment and future development agreements as incentives for growth. The City will revisit the plan annually and update dates and costs. Mr. Jones reviewed the maps for the amendment #1 and the whole Urban Renewal area. Staff also discussed information relating to the Dry Run Creek project. The Council discussed using the utility path as a trail and an article for the Waverly newspaper and helping residents with extenuating cold weather circumstances. The State and the Governor are looking at requesting a disaster declaration.

A. CALL TO ORDER. 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers

1. **Pledge of Allegiance.**

Mayor Infelt led the Council in the Pledge of Allegiance.

2. **Prayer.**

Pastor Dennis Dickman led the prayer for Gene Drape who died last week and for the Council.

3. **Approval of the Agenda.**

Moved By: Neuendorf **Seconded By: Reznicek**

The agenda for this Council meeting is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

4. **Approval of the minutes from the February 17, 2014 and February 24, 2014 Council meetings.**

Moved By: Waldstein **Seconded By: McKenzie**

The Minutes are hereby approved.

Yes: **No:** **Absent:**

5. **Guest Councilperson.**

The Council welcomed Deb Pendleton as Guest Councilperson for March.

B. PUBLIC HEARING.

1. **This was the announced time and place for a public hearing on the 2014 Bituminous Sealcoat Program.** There were no comments. The public hearing was closed and the following action was taken.

Moved By: Neuendorf **Seconded By: Waldstein**

Resolution 14-20, A Resolution Approving Plans, Specs, Form of Contract and Estimated Cost for the Bituminous Sealcoat Program is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

2. **This is announced time and place for a public hearing on Resolution 14-21 on the proposed Budget Fiscal Year 2014-2015.**

Duane Liddle voiced concern with the budget increases over the years. The public hearing was declared closed. City Administrator Jones informed Council there was a modest rise in valuations and as the valuation goes up, the tax rates can be held stable or dropped in certain areas. Mr. Jones reviewed taxable valuation/tax rate levy graph. The rollback amount is set by the State. The rollback went from 52% to 54% meaning the City gets to tax more of a home's value. Staff has dropped the levy rate from \$14.25 to \$14.15 per \$1,000 assessed valuation. Staff has kept ongoing operations stable and lowered the tax rate slightly and using revenue money to address long term capital needs like building improvements in the Civic Center and the parks. Urban Renewal dollars are funding part of the 4th St to 8th St. SE section of the Cedar River Parkway, also airport land and rehabilitation costs, 4th St. NW and water and sewer extensions. Next year the City plans to do Business Park improvements, dry run creek improvements, and a section of the airport. Projects include the Dry Run Creek, sidewalk improvements, 20th NW Box Culvert, Public Services Facility and a small bond for the pool renovation. The Council set a target of not going above 80% of the debt amount allowed by State statute and the levy rate of \$2.30. Staff is trying to structure the City's bonds to be stable in the future. The City portion of a resident's tax bill will go up 2.4% which equates to about \$35.00 a year. The City tax rate is usually around the middle compared to other similar communities. The City set up a water, sewer and solid waste rate structure of 2 ½ % a year for 3 years and it has been successful. The State passed property tax reform last session that is aimed at giving property tax relief to commercial and industrial properties and multi-family properties. The City's backfill from the State next year is \$45,000 and is locked in until 2017. Council encouraged residents to call them. Finance Director Bachhuber stated that the bonds the City is selling this year which is counted as revenue in the 2013-14 year but expended in 2014-15. Council discussed delaying the Cedar River Parkway and use TIF funding for the Dry Run, property tax relief and the debt limit. The 80% limit is the City's internal ceiling, and the City structures bonds in a fast 10 year amortization timeline maintaining a strong bond rating.

Moved By: McKenzie

Seconded By: Reznicek

Resolution 14-21, A Resolution adopting the Budget Fiscal Year 2014-2015 and is hereby approved.

Yes: 6

No: 1(Gade)

Absent: 0

3. **This is announced time and place for a public hearing on Resolution 14-22 on the transfer of the City Right-of-way, of the vacated alley and easement with Block 38, of Harmon & LeValley's Addition to Waverly Shell Rock Schools.**

Moved By: Kangas

Seconded By: Waldstein

Resolution 14-22, A Resolution approving the transfer of the City Right-of-way of the vacated alley and easement within Block 38, of Harmon & LeValley's Addition to Waverly Shell Rock Schools.

Yes: 7

No: 0

Absent: 0

4. **This is announced time and place for a public hearing on Resolution 14-23 to Commence a Public Improvement Project Dry Run Creek Flood Mitigation Improvements from near 7th Street NW downstream to near 1st Street SW.**

Patty Klossowsky stated that she doesn't want to be bought out because of the Dry Run Creek Improvements and feels that eminent domain should be voted in separate motion. Ms. Klossowsky passed out pictures of the fallen bridge that blocked the Dry Run during 1968 flood. Since the removal of homes along the Dry Run, Ms Klossowsky asked if the City could use Alternative 2 from the Dry Run Study. Duane Lidde asked about project design for cleaning the drainage way. There was talk about postponing the project until the LOMR was completed. The public hearing was closed. City Engineer Cherry informed Council the City can construct walled concrete sections at a cost of approximately \$2 Million. The cost of the wall is 3 times the value of the properties north of Bremer Ave. With the dry run creek there are many planning documents that touch upon the project. All planning documents had community involvement, committees, commissions, task force. Staff did a direct mailing to property owners directly impacted by the Dry Run Creek. Mr. Cherry stated that staff is in the process of wrapping up map revisions for the Cedar River and FEMA's consulting firm has completed the review of the hydraulic modeling. The City should have approval of the LOMR by Labor Day. 450 homes out of the flood plain are for the two projects the Inflatable Dam and the Dry Run Creek. The official map showing that area was finally submitted in December, 2013. Mr. Cherry stated that it is necessary to have maintenance access along the corridor on both sides. Mr. Cherry reviewed the path of the Dry Run Corridor. Council discussed possible screening for properties along the corridor if the paved side is used for a bike/walking trail. Mr. Cherry stated the floor of the earthen section will be 6 feet wide. The future culverts are going to be 10 feet wide and 7 foot tall and the skid loader will be able to get through the culverts. The City is presenting the Conditional Letter of Map Revision to FEMA that identifies what the new map revision will look like and should be ready by June. First, Third and Fifth Avenues will remain actual roads above the water. 4th Ave is a low water crossing and will be eliminated, 3rd Ave is a low water crossing that will be replaced with a box culvert, the box culvert at 2nd Ave will be moved to 1st Ave. Eminent domain is only used in unusual situations but Council felt funding from the State was a great opportunity for the City for the Dry Run project and was for the greater good. City Attorney Werger stated if the City and property owner can't negotiate the Council will have to acquire property through eminent domain. The City started negotiations right away to let property owners know what is the value of their property so that they can make their plans for replacement housing. City Attorney Werger informed Council that communities are hoping that when FEMA sees all the money spent by these cities for flood mitigation and they are hoping that FEMA will let them redevelop flood buyout lots without paying the money back.

Moved By: Waldstein

Seconded By: Neuendorf

Resolution 14-23, A Resolution to Commence a Public Improvement Project Dry Run Creek Flood Mitigation Improvements from near 7th Street NW downstream to near 1st Street SW is hereby approved.

Yes: 7

No: 0

Absent: 0.

C. Visitors and Public Comments

Leisure Services Director Ray informed Deb Turnbull citizens call in and complain about sidewalk snow removal, and Mr. Ray goes back and look at the property and determine who the property owner is and contact them. If the property owner does not remove the snow City staff goes out and does the removal and bills the property owner.

D. Consent Agenda:

1. Class C Liquor License for Applebee's Neighborhood Grill & Bar.
2. Class C Liquor License for Class C Liquor License for Centennial Oaks Golf Club, L. C.
3. Pay Request from AECOM for the Construction Review Services for GMT Railroad Spur Line for the GMT Corporation for \$514.35.
4. Pay Request from INRCOG for the EDA Dam Project for \$300.70.
5. Pay Request from INRCOG for the CDBG Dam Project for \$1,146.94.
6. Pay Request from INRCOG for the HMGP Update for \$255.77

Moved By: Waldstein Seconded By: McKenzie

The Consent Agenda items are hereby approved.

Yes: 7

No: 0

Absent:0

D. REGULAR BUSINESS.

1. **Resolution 14-24, A Resolution Awarding Website Redesign and Hosting Contract to SpinUTech.**

City Administrator Jones informed Council that this a proposal to rebuild a new website to use more tools to be involved with citizen engagement with social media and ecommerce.

Moved By: Reznicek Seconded By: Kangas

Resolution 14-24, A Resolution Awarding Website Redesign and Hosting Contract to Spinutech for \$23,500 onetime plus \$4,185 from the Waverly Chamber of Commerce is hereby approved.

Yes: 7

No: 0

Absent: 0

2. **Update on the Broadband Feasibility Study.**

Mike Litterer, Assistant General Manager of WLP stated that Gene Drape was a great community member by volunteering to be on Boards and always stepped up to serve. Mr. Litter reviewed the history of the Telecommunications Utility. The Communications Utility Board chose Magellan Advisors to conduct a Feasibility Study. Mr. John Honker and Courtney Violette from Magellan Advisors were present to review the results of the study. Magellan conducted a needs analysis, what equipment is required, what type of broadband services are needed and put together a plan what the utilities capabilities are and if there a financially sustainable way to proceed with said plan. The Waverly Business community has significant issues with their broadband services in terms of affordability and in terms of the quality. The Residential community has the same issues with affordability and quality. The equipment for the Waverly Community Utility will be housed on the second floor of the Waverly Light and Power building. Mr. Honker stated WLP has significant amount of fiber network for a significant reduction in developing a communication utility. Waverly Communications Utility should partner with another broadband utility to keep costs down and share knowledge. Mr. Honker reviewed the potential services to residential and businesses that the Communication Utility can provide. The benefits of the Communication Utility to the community are local ownership to reinvest in services better for residents and growing the network out to the rural

community. It is important WCU be responsive to what the customers want and service to their customers. A financially conservative and sustainable plan was created for WCU. The cost for laying the fiber lines and connecting homes up to the fiber is \$4,000,000. Equipment costs are \$6.3 Million. Operation costs will run in a deficit for 5 to 6 years and would be \$3,000,000. There is a payback between 7 and 11 years. These costs are about half of those from 5 years ago. Fiber is a new platform that broadband services operate over that is limitless and solves the problem of ever increasing bandwidth. The fiber is put in once and the City continues to upgrade the equipment on the ends of the fiber. Fiber is very expensive to build and there is less users in rural areas so it is difficult to recoup the costs. There are wireless components that would allow similar types of service over a wireless signal and as Waverly continues to grow those rural customers will eventually be able to hook on to the fiber. Cities try to work with other municipal providers to deliver content. The cost of content is one of the biggest recurring costs that WCU will incur on the network for a subscriber for video. WCU could connect to other providers without a huge cost. Magellan has advised WCU to have two connections from other providers.

3. **Resolution 14-25, A Resolution Awarding Contract for the Shades of Rhythm Amphitheatre.**

Duane Liddle voiced strong concerns of an unspecified perceived conflict of interest on the project. Mark Mueller informed Council that drawings were created by a college student to give something back to her community and now she and her family are getting harassed. City Attorney Werger stated that the student and her mother did not receive any money for design of the amphitheater so there is no conflict of interest. The Council encouraged people to get involved just like the student who donated the amphitheater design. Leisure Services Director Ray informed Council that \$16,000 worth of pledges that have not been collected yet. The maintenance fee is \$261 short. All private contributions are in a City account.

Moved By: McKenzie

Seconded By: Wygle

Resolution 14-25, A Resolution Awarding Contract for the Shades of Rhythm Amphitheatre to Paul G. Christensen Construction Co. Inc. of Cedar Falls Iowa for the low bid of \$251,555 including the 3 alternatives (including lights, handicap pavement and the sound) is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 14-26, A Resolution Approving a Farm Lease Agreement between the City of Waverly and David Joachim.**

The agreement is to farm the land at Champion's Ridge.

Moved By: Kangas

Seconded By: Neuendorf

Resolution 14-26, A Resolution Approving a Farm Lease Agreement between the City of Waverly and David Joachim is hereby approved.

Yes: 7

No: 0

Absent: 0

5. **Resolution 14-27, A Resolution Awarding Contract for the Chemical Storage Building.**

Moved By: Neuendorf **Seconded By: Wygle**

Resolution 14-27, A Resolution awarding contract for the Chemical Storage Building to Mätt Construction of Sumner Iowa for parts A, B, and C for \$34,741 and Tatroe Electric for part D for \$1,095 for the Chemical Storage Building project.

Yes: 7 **No: 0** **Absent: 0**

6 **Mayoral Appointments.**

Moved By: Kangas **Seconded By: Waldstein**

The Mayoral Appointments are hereby approved
Brian Pins to Leisure Services Commission
Reappointment of Eric Eckerman to Leisure Services Commission
Appointment of 5 year term to Kathy Olson to the Planning and Zoning Commission
Reappointments of Barb McWhirter, Tammy McKenzie, and Dave Frederick to Municipal Housing Commission.
Sharon Abram and Janet Platter reappointed to the Golf Commission.

Yes: 7 **No: 0** **Absent: 0**

7. **Resolution 14-28, A Resolution Approving Transfer of the Tow-Behind Packer Roller to the Bremer County Fair Association.**

Moved By: Neuendorf **Seconded By: Wygle**

Resolution 14-28, A Resolution Approving Transfer of the Tow-Behind Packer Roller to the Bremer County Fair Association is hereby approved.

Yes: 7 **No: 0** **Absent: 0**

E. Reports from Boards and Commissions:

F Staff Comments

G. City Council Comments

Discussion on rental housing safety standards and helping people with utility bills and electronic devices during the Council meeting. Council reminded citizens that keep their water running to please notify the City. Residents should check their water temperature.

Council thanked to staff for all snow removal efforts.

Council urged residents to call Councilmembers and come to Council meetings.

Guest Councilperson Deb Pendleton stated Council should keep informing the public on the water issues. There have been several articles in the newspaper and a flyer will be in the utility bills informing residents on water issues and help.

WSR Boys go on to State tournament.

H. Mayors Comments

The Mayor urged neighbors to help neighbors with snow removal.

I. **Adjournment**

Moved By: Kangas

Seconded By: Neuendorf

Yes: 7

No:0

Absent: 0

Council adjourned at 9:53 P. M.

Charles D. Infelt, Mayor

Attest:

Jo-Ellen Raap, City Clerk