

Regular Meeting Minutes

Ivan "Ike" Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on April 7, 2014 at 7:00 P. M. in the Ivan "Ike" Ackerman Council Chambers at City Hall. Mayor Infelt presided and the following Council Members were present: McKenzie, Wygle, Neuendorf, Gade, Kangas, Waldstein and Reznicek.

A. CALL TO ORDER. 7:00 P. M.

1. **Pledge of Allegiance.**

The Mayor led the Council in the Pledge of Allegiance.

2. **Prayer.**

Mayor Infelt led the Council in prayer.

3. **Approval of the Agenda.**

Moved By: Waldstein Seconded By: Neuendorf

The agenda for this Council meeting is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Approval of the minutes from the March 17, 2014 Council meeting.**

Moved By: Neuendorf Seconded By: Reznicek

The Minutes are hereby approved as amended to change the vote on Number 9 Resolution 14-37 under Regular Business to 5-1-1.

Yes: 7

No: 0

Absent: 0

5. **Guest Councilperson.**

The Council welcomed Waverly Light & Power General Manager Darrel Wenzel as the Guest Councilperson.

6. **Employee Highlight.**

The Council welcomed Police Officer Tyler Homeister to the City of Waverly staff.

7. **Proclamation.**

The Council is in support of National Library Week April 13-19, 2014.

B. VISITORS AND PUBLIC COMMENTS.

Emily Neuendorf of the Chamber of Commerce informed Council of the theme of Waverly's RAGBRAI stop. The RAGBRAI Staff chose Waverly as the college town stop on the tour. Ms. Neuendorf stated the new website is waverlyragbrai.com and informs the public on vendor applications, entertainment, and volunteers can register on said site. Staff will get the Council minutes on the website.

Staff informed Duane Liddle that there will be a water connection by Centennial Oaks Golf Club Addition to provide a water loop and not a dead end connection.

C. CONSENT AGENDA.

1. Pay Request from Svendsen Tyler, Inc. for the Historic Preservation NW & SE Neighborhood Survey Contract – Final Statement for \$9,843.00.
2. Pay Request from Design Alliance for the Waverly Public Services for Operations and Disaster Response for \$5,460.30.
3. Pay Request from INRCOG for the EDA Dam Project for \$443.53.
4. Pay Request from INRCOG for the CDBG Dam Project for \$411.35.
5. Pay Request from INRCOG for the HMGP Update for \$1,651.50
6. Ownership update for Applebee's.
7. Pay Request from Stanley Consultants for the Cedar River LOMAR for \$1,449.00.
8. Pay Request from WHKS & Co. for the 4th St. NW Improvements for \$3,482.08.

9. Pay Request from WHKS & Co. for the Dry Run Creek Improvements for \$1,727.68.

Moved By: Waldstein **Seconded By: Wygle**

The Consent Agenda items are hereby approved.

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

D. REGULAR BUSINESS.

1. Item was removed from the agenda – the contractor for the Head House demolition is going to continue with the conventional demolition process.

2. **Resolution 14-38, 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.**

City Administrator Jones stated the City proceeds with said intent for IRS issues related to municipal bonds and replenishes City funds when the bonds are sold. PFM, Bond Counsel, and the State have recommended that the City proceed with said intent statement.

Moved By: Reznicek **Seconded By: Waldstein**

Resolution 14-38, 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 a not-to-exceed amount of \$7,800,000 for the Cedar River Parkway, Sidewalks, Airport, 4th Street NW, Water & Sewer Extension, 20th Street NW Culvert, Public Services Facility, and Pool Expansion Projects as budgeted is hereby approved.

Moved By: Kangas **Seconded By: McKenzie**

To add wording “as budgeted” is hereby approved.”

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

The original motion as amended is hereby approved.

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

3. **Resolution 14-39, A Resolution Approving A Voluntary Water and Sewer Assessment and Ag-Deferred Assessment for Val Holm.**

The property was split in 2001 for ag land, a residential home and nursery business. The land use changed from a farmstead into a commercial operation and a residential house. The City is proportioning the ag deferred assessment which should have been done earlier.

Moved By: Kangas **Seconded By: Neuendorf**

Resolution 14-39, A Resolution Approving a Voluntary Water and Sewer Assessment and Ag-Deferred Assessment for Val Holm at 2419 E. Bremer Ave is hereby approved.

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

4. **Resolution 14-40, A Resolution Approve Contract Bonds & Insurance for the Bituminous Seal Coat Program 2014.**

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

Resolution 14-40, A Resolution Approve Contract Bonds & Insurance for Blacktop Service Co. \$120,142 for the Bituminous Seal Coat Program 2014 is hereby approved.

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

5. **Resolution 14-41, A Resolution Approving Recycling Container Rental Fees for Curbside Recycling Program.**

Administrator Jones stated the City wanted to make it easier for citizens to recycle and to put all recycling in one container. The Focus Group wanted to provide a program that was well marketed, and easy for people to

understand and adopt. The goal was to create a zero cost option for citizens, provide the larger totes and to make the program financially sustainable. It does cost the City money to get rid of the comingled recyclables because it has to be sorted. The citizens can still use their 14 or 18 gallon totes for free. If a citizen requests a large container a citizen can rent them for \$2 a month for a 35 or a 65 gallon container, and 95 gallon containers are \$3 a month. Commercial accounts can also rent containers for recycling. The new recycling truck has a tipper and the carts would be compatible with the tipper. City Engineer Cherry informed Council that after the newsletter went out about 60 customers have called the City requesting containers. Collecting curbside the City collects on average 5 tons per week. The City will monitor to see how recycling changes. The recycling rate is \$17.50 a ton for disposal and the landfill rate is \$34.00 a ton. Council would like to see the landfill tonnage decrease in the future and recycling numbers increase. The Recycling Center operations will remain the same because of the diversity of materials accepted like glass, peanuts, Tere cycling. The recycling program is a voluntary program. Citizens can swap containers once at no charge. The residential and commercial containers fees are the same. New recycling containers will be delivered when a resident requests them. 65 gallon containers are ready to go. The 35 and 65 gallon containers will be available in about 4 weeks.

Moved By: McKenzie

Seconded By: Waldstein

Resolution 14-41, A Resolution Approving Recycling Container Rental Fees for the Curbside Recycling Program is hereby approved.

Yes: 7

No: 0

Absent: 0

6. **Resolution 14-42, A Resolution Approving One Year Renewable Agreement with Rite Environmental for Disposal of Commingled Recyclables.**

City Engineer Cherry stated the City has an agreement with Blackhawk County Landfill and in said contract it provides for either 6 or 12 month notice of a rate change. There are many other companies emerging that accept comingled recyclables and staff wanted to review the agreement and costs after one year.

Moved By: Waldstein

Seconded By: Kangas

Resolution 14-42, A Resolution Approving a One Year Renewable Agreement with Rite Environmental for Disposal of Commingled Recyclables for \$17.50 a ton is hereby approved.

Yes: 7

No: 0

Absent:0

7. **Resolution 14-43, A Resolution Establishing the Preliminary Assessment Unit Price Values for the Citywide Sidewalk Repairs 2014.**

City Engineer Cherry informed Council that in 2010 the City Council established a program for maintenance and repair of sidewalks. Preliminary assessment values establish the maximum assessment for property owners. The property owner can then decide if they want to hire a contractor, or do it themselves or let the City take care of it. State law mandates the adjacent property owner is responsible for maintenance and care of the sidewalk. The City is responsible for the ped ramps and sidewalks where street tees into another street. The City does the reconstruction in bulk to lower the costs. Voluntary assessments can go on a property owner's taxes. The markings will be on the sidewalks and

the City will send a letter to said property owners. If a property owner does not complete the repairs by Labor Day the City will do their sidewalks and bill or assess the cost of said repairs to the property owner. The ash trees in the boulevards are being removed. The sidewalks are going to be completed by the City for those properties to be acquired for the Dry Run project.

Moved By: Waldstein

Seconded By: Neuendorf

Resolution 14-43, A Resolution Establishing the Preliminary Assessment Unit Price Values for the Citywide Sidewalk Repairs 2014 is hereby approved.

Yes: 7

No: 0

Absent: 0

8. **Resolution 14-44, A Resolution Approving Contract, Bonds and Insurance for the Chemical Storage Building.**

Moved By: Neuendorf

Seconded By: Waldstein

Resolution 14-44, A Resolution approving contract, bonds and insurance from Matt Construction for the Chemical Storage Building is hereby approved.

Yes: 7

No:0

Absent:0

9. **Resolution 14-45, A Resolution Approving Golf and Cemetery Fees and Charges.**

The Golf Commission recommended change in cart rental. Administrator Jones stated that the Commission looks at other area courses, historic rounds played and tries to keep fees in the market. Staff will review in depth course subsidies and cost benefit analysis of the Golf Course this summer. The Council discussed the benefits to the City outside the Course and the amount of organizations that use the Golf Course for fundraising. The Golf Commission and the Waverly Golf & Country Club members met to create one mission statement for both groups. Their goal is to work together. The Golf Pro Greg Mason has enhanced the marketing of the Course.

Staff has recommended the cemetery fees based on the updates to the cemetery, interments, and increased lot fees in certain sections of the cemetery.

Moved By: Gade

Seconded By: Wygle

Resolution 14-45, A Resolution Approving Golf and Cemetery Fees and Charges is hereby approved.

Yes: 7

No: 0

Absent: 0

10. **Resolution 14-46, A Resolution approving a written offer to buy an interest in Real Estate by the City of Waverly from Mueller Farms, Inc. for the Airport Safety Zone Project.**

City Attorney Werger informed Council that he was directed to get as many property owners to sign real estate agreements whenever he could. The FAA will reimburse the City for all purchases completed. The City is waiting for the FAA report on the Schmidt's trees. FAA funding comes from fuel tax revenues, baggage fees, airline ticket taxes.

Moved By: Kangas

Seconded By: Neuendorf

Resolution 14-46, A Resolution approving a written offer to buy an interest in Real Estate for \$6,965.00 by the City of Waverly from Mueller Farms, Inc. for the Airport Safety Zone Project is hereby approved.

Yes: 7

No: 0

Absent: 0

11. **Resolution 14-47, A Resolution approving a written offer to buy an interest in Real Estate by the City of Waverly from James and Sandra Janssen for the Airport Safety Zone Project.**

Moved By: McKenzie **Seconded By: Reznicek**

Resolution 14-47, A Resolution approving a written offer to buy an interest in Real Estate for \$34,500 by the City of Waverly from James and Sandra Janssen for the Airport Safety Zone Project is hereby approved.

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

12. **Discussion of and direction on the Council Meeting Schedule.**

Duane Liddle voiced concerns with the Council not having study session meetings. Council discussed having two regular meetings and having study session quarterly. The 6:00 P. M. Work Sessions were introduced as a trial for team building. Council also discussed the numbers of people that watch the Council Meetings and elimination of meals at the work sessions. Council would like televised discussion on an agenda item and at the next meeting bring back the item as final product. The intent of the work sessions was to allow the Council some concentrated time on items. Discussion followed on streamlining the agenda. The Council also agreed that meetings are the only chance to discuss City business. There was a suggestion to have two televised meetings a month starting at 7:00 P. M. and every quarter have an untelevised group session to discuss new projects, programs and policies open to the public. The Council discussed trying this new proposal for three to six months to see how it would work and then change the ordinance. A special meeting can always be called if needed. There should be public comments but the Council also needs time to discuss items and come to a decision. There was also discussion on new venues for the public via social media, website for citizens to express their opinions or for their questions. City Attorney Werger stated that Council legally voted to cancel the third meetings.

E. REPORTS FROM BOARDS AND COMMISSIONS.

Hazard Mitigation/River Use Commission Minutes-River Town of the Year.
Golf Commission Minutes-the Commission and Waverly Golf & Country Club members met to create a common goal and foot golf.

Planning and Zoning Commission Minutes-no comments

Waverly Chamber Board Minutes-Ladies Night Out on Thursday.

Senior Center Calendar –Mayor Infelt did the Meals on Wheels program
“The W” Report-increased revenue

Strategic Planning Sessions – March 1, 2014 & March 29, 2014

F STAFF COMMENTS

Finance Director Bachhuber stated a month ago the Council urged residents to run their water to keep water pipes thawed out. Residents would be given credits on utility bills for anything over double their average use from a prior year. Through the end of March the City had 71 customers which would be February consumption totaling \$10,000. The credit was given in March and now 71 to 75 customers will be given credits totaling the same in April. The City is advising residents to test the temperature of their water. Residents with frozen pipes just pay their base charge.

City Administrator Jones stated he received word from other cities regarding the company that is sending e-mails to the Council on cell tower leases. These cities advised the City to stay away from them because the City would lose the ability to control its own real estate.

Staff is still working on the rental ideas.
Steve Dust and Lisa Sluball from Greater Cedar Valley Alliance will be at the Economic Development Commission meeting tomorrow talking about regional economic development efforts. Reid Koenig, Chair of Waverly Small Business Incubator and Consultation Center and Ken Kammeyer from Bremer County will talk about their economic development efforts. City Administrator Jones reviewed items for the next Council agenda.

G. CITY COUNCIL COMMENTS

April 30th from 5:00 to 8:00 P. M. fundraising event at the Pizza Ranch for the Dog Park.
Discussion followed on the Bremer Court Apartment Project.
Vacant homes can bring their trash containers back and adjust their utility charges a refund.
Yardwaste site is open.
There is an open burn regulation. The Fire Department is warning residents to be careful.
Staff work under the direction of the Council.

H. MAYOR COMMENTS.

The Council thanked Darrel Wenzel for being the Guest Councilperson.

I. EXECUTIVE SESSION.

1. To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.

and

To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Moved By: McKenzie

Seconded By: Neuendorf

To enter into Executive Session is hereby approved.

Yes: 7

No: 0

Absent: 0

Moved By: Neuendorf

Seconded By: Wygle

To reenter into open session is hereby approved.

Yes: 7

No: 0

Absent: 0

J. ADJOURNMENT.

Moved By: Gade

Seconded By: Wygle

Yes: 7

No: 0

Absent: 0

Council adjourned at 10:11 P. M.

Charles D. Infelt, Mayor

Attest:

Jo-Ellen Raap, City Clerk