

Regular Meeting Minutes

Ivan "Ike" Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on June 2, 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: Wygle, Neuendorf, Gade, McKenzie, Kangas and Reznicek. Absent: Waldstein

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

B. Pledge of Allegiance.

The Mayor led the Council in the Pledge of Allegiance.

C. Prayer.

Mayor Infelt led the Council in prayer.

D. Approval of the Agenda.

Moved By: Reznicek Seconded By: Wygle

The agenda for this Council meeting is hereby approved.

Yes: 6 No: 0 Absent: 1

E. Approval of the minutes from the May 19, 2014 Council meeting.

Moved By: Reznicek Seconded By: McKenzie

The Minutes are hereby approved.

Yes: 6 No: 0 Absent: 1

F. Guest Councilperson.

The Council welcomed Adam Hoffman as the Guest Councilperson.

G. Public Hearings –There were no public hearings.

H. Public Comments on Items Not on the Agenda

Nikki and Tony Welch entered Waverly in a contest for grant of \$100,000 for a Dog Park. Ms. Welch stated that the Waverly Dog Park has received 10,000 votes and is 1,500 votes ahead of other projects. Runner up prizes are \$25,000. The contest will end July 31st.

Jo Bagelmann and Pam Hinrichs from Waverly RAGBRAI Housing Committee urged citizens to offer their homes to riders or yards for riders to pitch their tents. Ms. Bagelmann stated that the Housing Committee is in need of handicap housing for a rider who broke his back. The Committee needs more sites for riders overnight.

Mayor Infelt informed Duane Liddle the Mayor and Council welcome public comments but Council needs its time to discuss business. The Council also appreciates comments sent in before the meeting.

I. Consent Calendar

1. Pay request from Peterson Contractors, Inc. for the Cedar River Parkway (West) 2013 in the amount of \$102,458.36.
2. Pay request from Terracon for the Fire Station Roof Work in the amount of \$2,306.76.
3. Pay request from Alpha Video & Audio, Inc. for the Channel 10-Upgrade for the amount of \$16,908.77.
4. Pay request from AECOM for Construction Review Services for GMT Railroad Spur Line for GMT Corporation for \$1,409.23.
5. Pay Request from INRCOG for the HMP Update for \$2,144.81.
6. Pay Request from Feldman Concrete for the Citywide Ped Ram Construction 2014 for \$22,176.61.
7. Pay Request from Stanley Consultants for the Cedar River Parkway, Construction Services for \$13,453.50.
8. Pay Request from Stanley Consultants for the Cedar River LOMR for \$1,897.64.
9. Class B Beer Permit and Outdoor Service for Janesville Tap, LLC.
10. Class C Liquor License Blake's Catering.
11. Set Public Hearing Date for Site Grading for the Public Services Center for Operations & Disaster Response.
12. Set Public Hearing Date for the Waverly Hazard Mitigation Plan Update.

Administrator Jones informed Duane Liddle that there is ongoing work with Terracon on the Fire Station Roof. Staff is in the process of finalizing the GMT Railroad Spur Line.

Moved By: Wygle

Seconded By: Gade

The consent calendar is hereby approved.

Yes: 6

No: 0

Absent: 1

J. Resolution Calendar

- 1 There were no Resolution Calendar items at this time.

K. Other Business

1. Suzanne Gerlach of Public Financial Management informed Council bids were taken this morning at 11:00 A. M. payable from taxes and TIF financing. Ms. Gerlach stated there was strong interest in the City's bonds. Ms. Gerlach stated the Moody's change in the City's bond rating has a modest effect on purchasing bonds. The cost impact of the change is \$50,000 or less over 15 years. The portion of the \$7,380,000 paid by taxes is 10 years and the portion paid by TIF is 15 years. Moody's has four scorecard factors and their percentage weighting on bond ratings. The scorecard includes economic strength 30%, financial strength 30%, management and governance 20% and debt profile 20%. Each factor is evaluated individually, incorporating unique state and sector attributes, assessing an issuer's potential credit strengths and weaknesses. The City's rating was changed not downgraded and had no impact on the cost of funding. The City's rating based .1% over the Triple A rating. Ms. Gerlach's recommendation that the City Council award the \$7,380,000 GOB Bonds Series 2014A to Robert W. Baird & Co. Inc. for a final true interest rate of 2.2743%.

Moved By: McKenzie

Seconded By: Kangas

Resolution 14-77, A Resolution Directing Sale of \$7,380,000 General Obligation Bonds, Series 2014A to the Robert W. Baird & Co. for a true interest rate of 2.2743% (Swimming Pool, Public Services Facility, Dry Run Creek Improvements, Cedar River Parkway, Airport, Land and Safety and Runway, 4th Street NW and water & sewer extensions)is hereby approved.

Yes: 6

No: 0

Absent: 1

2. Administrator Jones informed Council that the City and AMVETs are still in negotiations about property acquisition and options at that site. The REAP grant would assist with rehab of the remaining section of riverbank, restore plantings and improve access to the trail.

Moved By: Gade

Seconded By: Kangas

The Memorandum of Understanding with INRCOG for the preparation of a REAP Grant application for the AmVets Area Riverbank Reclamation 2015 project is hereby approved.

Yes: 6

No: 0

Absent: 1

3. **Moved By: Neuendorf** **Seconded By: McKenzie**
Second reading of Ordinance 979, amending Section 44.1 of the Waverly Municipal City Code regarding number of members appointed to the Planning and Zoning Commission. Council discussed using the Commission in smaller type settings. Administrator Jones stated that items in the Comprehensive Land Use Plan have not been addressed. The Commission could also start looking at the housing study and markets, corridor planning, overlay districts, and zoning code updates.

Yes: 6

No: 0

Absent: 1

4. The ordinance allows the City and citizens coordinate efforts to remove diseased trees on private property that are dangerous.

Moved By: Kangas

Seconded By: Wygle

First Reading of Ordinance 981, an Ordinance Amending Section 63.1(15) of the Waverly Municipal City Code Regarding Nuisances regarding infested Ash trees.

There was discussion on waiving the Third Reading of the ordinance.

Yes: 6 **No: 0** **Absent: 1**

5. Moved By: Reznicek **Seconded By: Neuendorf**

Second Reading of Ordinance 980, an Ordinance Adding Chapter 23 to the Waverly Municipal Code Regarding Municipal Infractions.

City Attorney Werger stated that he expanded several sections of the ordinance without changing the actual language of the infraction or the violation by incorporating some language from Iowa Code Section 364.22 regarding municipal infractions. The environmental violation is addressed in the Iowa Code which Mr. Werger incorporated in the ordinance. The civil and environmental penalties are directly taken from the Iowa Code to give notice to people that said ordinance reads just like the State law does. Procedures in civil citations are spelled out in the ordinance and how the citation would proceed in the court system. Municipal infraction would be used as a means to ensure contractors clean streets, etc. when completed with construction. Snow would have to be abated and then work through the municipal infraction process but for trash, building conditions and weeds staff would work with the citizen ahead of time to abate the infraction. If there is a violation of the snow ordinance staff might have to clean up first and ask the judge to assess the cost of cleanup after it is done. The environmental infraction would go to the higher cost immediately because it is an environmental issue and typically more instantaneous and has to be addressed right away. The DNR and other State agencies usually tell the City when an environmental infraction is occurring. Discussion followed of who would sign the infraction. Public Services Superintendent stated that 90% of complaint calls come from citizens. All citations will be filed through the City Attorney's office. City Attorney Werger stated that procedures will be drafted and put in resolution form for the infraction process. It gives staff the ability to enforce code violations and would not be considered a misdemeanor on a person's record. Mr. Werger also stated that the City may file an infraction to show violators the City is serious about proceeding with abatement of the violation and could dismiss it later. Staff will develop a report for Council on infractions periodically.

Yes: 6 **No: 0** **Absent: 1**

6. Moved By: Wygle **Seconded By: Reznicek**

Mayoral Appointments of Jane Wollenzien to Airport Commission, Gene Lieb to the Bremer County Community Foundation Board, Peter Newell to the Historic Preservation Commission is hereby approved.

Yes: 6 **No: 0** **Absent: 1**

L. Reports from Boards and Commissions

1. Civil Service Commission - received
2. Chamber of Commerce - received

M. Staff Comments

Administrator Jones informed Council of a meeting with Waverly Area Landlords, Councilmember Wygle and staff. The group agreed to meet every two weeks to review options and code language and implementation.

Mr. Jones will be sending out information on a work session date.

N. City Council Comments

When LOMR maps are issued by FEMA, staff will conduct public meetings so the public understands what the changes mean to them. Mr. Cherry informed Council it should be around Labor Day when the City gets information on the maps. City Engineer Cherry advised citizens to wait to get an elevation certificate until the City receives information from FEMA. City Engineer Cherry informed Council the goal is to have 4th St. NW project and pedestrian rams completed by RAGBRAI. The Cedar River Parkway is due to be completed in September.

