

A Regular Meeting of the Waverly City Council was held on August 18, 2014 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Reznicek, Waldstein, Wygle, McKenzie, Gade, Neuendorf, and Kangas. Absent: None.

A. Call to Order.

B. Approval of Agenda.

Moved By: Neuendorf Seconded By: Wygle

The agenda as presented is hereby approved.

Yes: 7 No: 0 Absent: 0

C. Approval of Minutes

Moved By: Kangas Seconded By: Neuendorf

The August 4, 2014 minutes as amended by correcting the spelling of Waldstein after **Moved By** on page 2 are hereby approved.

Yes: 7 No: 0 Absent: 0

D. Public Comments on Items Not on the Agenda

- Mayor and Council welcomed guest council members Matt Kangas, McKenzie Kielman and Robby Newell.
- Members of the Dog Park Committee were recognized for a job well done on a successful campaign with a \$100,000 outcome from PetSafe.
- Mary Lou Kelly inquired about the City’s tax levy and the increase in property taxes.
- Duane Liddle voiced concerns of the height of weeds along the Dry Run Creek banks.

E. Consent Calendar

1. Pay request from Peterson Contractors, Inc. for Cedar River Parkway (West) 2013 for \$88,589.35.
2. Pay Request from Design Alliance for Waverly Public Services for Operations and Disaster Response Project for \$14,378.54.
3. Pay request from McClure Engineering Co. for the Waverly Municipal Airport Runway 11/29 Rehab Design & Bidding Services for \$17,023.00.
4. Pay request from Paul Miller Design, Inc. for Golf Course Architecture Services for the Golf Course Ponds for \$2,701.33.
5. Pay request from Terracon Consultants, Inc. for the Waverly Municipal Airport Runway Rehabilitation 2014 project for \$8,133.00.
6. Approval of July, 2014 Cash Disbursements.
7. Set public hearing on vacation and conveyance of certain streets and alleys to Wartburg College for September 8, 2014 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers of City Hall.
8. Set public hearing on conveyance of two (2) lots in Garner’s Addition pursuant to the 1984 agreement between the City of Waverly and Wartburg College for September 8, 2014 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers of City Hall.

- Staff informed council Wartburg discovered during their latest bonding process that there were a number of streets and alleys that were vacated many years ago since they have older buildings on them, but were not actually in the name of Wartburg College as ownership. We described every street and alley that is currently occupied and owned by Wartburg that might have an unclear history and put them on a list.
 - 2nd Avenue NW between 8th and 9th Streets NW and 5th Avenue NW at 12th Street NW to be officially vacated and conveyed to Wartburg College.
9. Approving purchase of five (5) Panasonic Toughbooks, for replacement, from Keltek Incorporated for the Waverly Police Department for \$22,363.75.
- Duane Liddle inquired about the vacation and conveyance of the streets and alleys.
 - Staff informed Duane Liddle Microsoft no longer supports Windows XP and the computers will be replaced with Windows 7.

Moved By: Reznicek Seconded By: McKenzie

The Consent Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

F. Resolution/Ordinance Calendar

1. Third and final reading of Ordinance 984 amending Section 100.14.04(2) of the Waverly Municipal Code regarding C-3 (Commercial District) eliminating minimum lot setback requirements for Hotels and Motels.
 2. Resolution 14-107 approving an agreement between the City of Waverly and Scott and Tammy McKenzie for an option to purchase their property located 606 Crestwood Avenue for the amount of \$1,000 to extend 6 months from the date of this agreement and if the City shall determine it favorable to purchase said property the total purchase price shall be \$157,839.
- Council discussed processes to follow while purchasing real estate.

Moved By: Waldstein Seconded By: Kangas

The Resolution Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

G. Other Business

1. Support for the Waverly Volunteer Fire Department hosting the 2016 Iowa Firemen's Association 138th Annual Convention.
 - Fire Chief Dennis Happel, Volunteer Fireman Rob Edgar and Volunteer Fireman Darren Groen gave a brief explanation of the convention attendance and activities. Three to four thousand people over 5 days celebrating the fire service.

Moved By: McKenzie Seconded By: Waldstein

That Mayor and Council would, with great honor, supply a letter supporting the Waverly Volunteer Fire Department to host the 2016 Iowa Firemen's Association 138th Annual Convention.

Yes: 7 No: 0 Absent: 0

2. Resolution 14-106, Approving a Special Provisional Use for a Religious Institution located 1919 8th Street SW as requested by S & J Enterprises, Inc.

- Steve Schmitt of S & J Enterprises, Inc. gave a brief history of the property and explained expenses incurred since December 31, 2009 while the building has remained empty.
- Pastor Jonathon Barth explained the church has outgrown 3 other separate facilities and they do not currently have any plans for the undeveloped south one half of the property.
- Council discussed that a special provisional use stays with the user. If the church would change hands the new entity would need to reapply. If the church would change location they would also need to reapply.
- Council also discussed this location is within an industrial park, however, physical characteristics of the building make it difficult for most other industrial companies, to locate there which may be a large part of why it has not been filled.
- Barth Steere added that he wanted to get the special provisional use due to the fact they wouldn't have to go through the process again at a later date, should they purchase the building.
- The resolution will also be amended to show the applicant as Cross Point Church and consent by owner, S & J Enterprises, Inc.

Moved By: Wygle

Seconded By: Neuendorf

Resolution 14-106, Approving a Special Provisional Use for a Religious Institution located at 1919 8th Street SW as requested by S & J Enterprises, Inc.

Moved By: Kangas

Seconded By: Neuendorf

To Amend the original motion as follows: Resolution 14-106, Approving a Special Provisional Use for a Religious Institution located at 1919 8th Street SW as requested by Cross Point Church is hereby approved.

Yes: 7

No: 0

Absent: 0

3. Resolution 14-105, Transferring Funds from the Waverly Municipal Electric Utility to the Waverly Municipal Communications Utility.
 - Waverly Light & Power General Manager Darrel Wenzel explained the surplus funds would come out of General Funds and Special Project Funds and the \$3M would cover the first 2 to 3 years of operating costs for the communications utility.
 - Waverly Light & Power's reserve funds are hold for numerous reasons including bond requirements.
 - Waverly Light & Power has a rate stabilization fund that helps to cover large increases over a given period of time so that rate payers don't see large increases all at one time.
 - The intent is to pay the loan and any bonds back through growth in revenues generated.
 - Public Financial Management (PFM) the same company that works with the City of Waverly is handling the bonding process for Waverly Light & Power and have provided analysis for Waverly Light & Power on the financing package.
 - Barth Steere voiced that he feels he has been overcharged and the electric rates were raised again this year.

- Council discussed that this loan would be subordinate to the financial institution issuing the revenue bonds.
- The \$3M is a not-to-exceed amount,
- The feasibility study reflected a strong community desire for improved, local broadband options.

Moved By: McKenzie

Seconded By: Waldstein

Resolution 14-105, Transferring Funds in the amount of \$3,000,000 from the Waverly Municipal Electric Utility to the Waverly Municipal Communications Utility is hereby approved.

Yes: 5

No: 2 (Reznicek, Gade)

Absent: 0

4. Concurrence and Acceptance of Up to Two (2) Iowa Economic Development Authority (IEDA), Community Development Block Grant (CDBG) – Disaster Relief – Round 6, Housing Grant Applications.

- The Steven Langan and Dan Marsh Multi-Family Proposal is no longer being proposed.
- Judy Lampe presented to council the Lampe proposed project of 3 to 4 two story 4-plex buildings depending on final outlay of the property which would provide 12 to 16 units in total. This is a multi-family project, appropriately zoned and shovel ready. .
- Tom Sather, President of T.W. Sather Company and Richard Dane presented to council the proposed project with Bremer Place Apartments consisting of a 30-unit new construction apartment project. This is a multi-family project, properly zoned and shovel ready.
- Tim Bradford commented that these projects would build for multi-families and the flood of 2008 caused loss of single-family housing and inquired about housing survey results.
- Barb Benson commented that a 12-plex would be more beneficial to Waverly. She compared Waverly to Denver for available grants and tax abatements. Waterloo is overbuilt and is now experiencing numerous vacancies.
- Council discussed the 26 units being developed in Waverly's downtown area.
- There is no City funded subsidy involved with either proposed projects.
- Flow of traffic by the child care center, library and elementary school was a concern for Bremer Place Apartment project. Traffic will flow towards the west to alleviate concerns. Commercial uses like retail and restaurants have far more traffic related issues than residential.
- Mayor Infelt expressed needs for quality, affordable housing for the middle and lower class.
- Dennis Schneider questioned the definition of affordable housing.
- Federal and State guidelines for affordable housing would mean that an affordable one-bedroom apartment could be charged at a rate of \$918/month and a two-bedroom a rate of \$1,101/month. The Bremer Place project is scheduled for \$650/month for a one-bedroom and \$795/month for a two-bedroom.

