

Regular Meeting Minutes – September 15, 2014  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on September 15, 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: Kangas**

The agenda as presented is hereby approved.

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

**C. Approval of Minutes**

Councilman Reznicek arrived at 7:03 p.m.

**Moved By: Waldstein                      Seconded By:**

The September 8, 2014 minutes are hereby approved.

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

**D. Public Comments on Items Not on the Agenda**

- Duane Liddle spoke regarding City owned trees that are either dying or already dead that need to be cut down relating to the schedule and removing infected Ash trees. Mr. Liddle also commented on the government class conducted by Wartburg College that meets each Tuesday morning at City Hall and why isn't it scheduled during a time of day when more citizens could attend. Mr. Liddle was informed by staff that the City follows the Iowa League of Cities Record Retention guidelines prepared by the Iowa League of Cities, State Historical Society of Iowa's State Archives and Record Bureau and Iowa Municipal Finance Officers Association for retention of all municipal records.
- Councilman Wygle pointed out that Newsweek.com ran a list of America's top schools in 2014 and the National Center of Education reported that each year News Week does a study to find out where the top high schools are located throughout the United States and Waverly-Shell Rock High School ranked 326 out of about 98,817 schools.
- Councilmembers Gade, Waldstein and Wygle all commented that they have received comments from citizens, in favor of and opposing the restricted parking on 4<sup>th</sup> Street NW.
- Staff informed Myron Peterson base fee set for utilities is so the entire community can be served which includes when a resident is not home for weeks or months at a time. Staff also invited Mr. Peterson to come into City Hall to discuss this issue.

**E. Consent Calendar**

1. Pay request from McClure Engineering Co. for the Waverly Municipal Airport Runway 11/29 Rehab Design & Bidding Services in the amount of \$17,901.00.

2. Pay Request from Design Alliance, Inc. for professional services rendered for the Waverly Public Services for Operations and Disaster Response in the amount of \$9,811.25.
3. Pay Request from Peterson Contractors, Inc. for the Cedar River Parkway (West) Construction Services for \$131,446.86.
4. Approval of August, 2014 Cash Disbursements.
5. Class C Liquor License for El Sol Mexican Restaurant II, Inc.
  - Staff clarified for Duane Liddle the amounts paid by vendors to the City for RAGBRAI and were then paid to the Chamber by check. The funds were just a pass through the City and then reimbursed by the RAGBRAI Committee. The RAGBRAI Committee hired the security officers.

**Moved By: McKenzie                      Seconded By: Waldstein**  
The Consent Calendar is hereby approved.

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

**F. Resolution/Ordinance Calendar**

1. Resolution 14-119 setting a public hearing for the vacation and deeding of the City alley right-of-way (16.5 foot wide alley in Block 31 of Harmon and LeValley's Addition Subdivision between 1<sup>st</sup> Street NW and 2<sup>nd</sup> Street NW) to St. Paul's Lutheran Church who has maintained the alley since 2004 and contributed \$3,907 toward resurfacing the alley.
  - The public hearing will be set for October 6, 2014 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers.

**Moved By: Kangas                      Seconded By: Neuendorf**  
Approve Resolution/Ordinance Calendar.

**Moved By: Reznicek                      Seconded By: Gade**  
To discuss the resolution/ordinance calendar items separately is hereby approved.

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

**Moved By: Kangas                      Seconded By: Neuendorf**  
Resolution 14-119 setting a public hearing for the vacation and deeding of the City alley right-of-way (16.5 foot wide alley in Block 31 of Harmon and LeValley's Addition Subdivision between 1<sup>st</sup> Street NW and 2<sup>nd</sup> Street NW) to St. Paul's Lutheran Church who has maintained the alley since 2004 and contributed \$3,907 toward resurfacing the alley for October 6, 2104 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers is hereby approved.

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

2. Resolution 14-125 approving contract for the Golf Pond Renovating project to Baker Concrete and Excavation of Waverly, IA for a not-to-exceed amount of \$78,000.
  - There was only one bid received for this project.
  - The bid received was for a revised plan to renovate two ponds. Originally, there were 5 pond renovations in the plan.
  - The budgeted amount for doing 5 pond renovations was \$87,000.

**Moved By: Kangas                      Seconded By: Neuendorf**  
Resolution 14-125 approving contract for the Golf Pond Renovating project to Baker Concrete and Excavation of Waverly, IA for a not-to-exceed amount of \$78,000.

**Moved By: Wygle**

**Seconded By: McKenzie**

To Table Resolution 14-125 approving contract for the Golf Pond Renovating project to Baker Concrete and Excavation of Waverly, IA for a not-to-exceed amount of \$78,000 until the September 22, 2014 meeting is hereby approved.

**Yes: 7**

**No: 0**

**Absent: 0**

3. Resolution 14-124 approving the 2014 Goal Setting Report priorities as the City prioritizes for the upcoming 18 months.

- Concerns were raised regarding the process in which the document was created.
- Economic Development is a high priority for the City.
- The City Hall building would not be a priority above other items on the list.
- Airport Expansion is an important item, however, it needs to fit into the plan financially.
- The facilitator used stickers to represent a tally mark to represent one sticker per item of interest per individual councilmember. The number of stickers per item then represented if an item was included on the priority list.
- There was an opportunity to remove or add to the current priority list.

**Yes: 4 No: 2 (Gade, Reznicek) Absent: 0 Abstain: 1 (Wygle)**

**G. Other Business**

1. Second Reading of Ordinance 985 proposing amendments to sections 105.8, 105.8.01, 105.8.02, 105.8.05, 105.8.06 and 105.8.07 of the Waverly Municipal Code of Ordinances to allow bicycle riding on the downtown sidewalks and to eliminate the bicycle licensing requirements.

- The east side of Bremer Avenue restrictions originally stemmed from the east being more heavily trafficked by pedestrians with a lot more parked cars and bikes entering and exiting the crosswalks with a great deal more speed.

**Moved By: Waldstein**

**Seconded By: Neuendorf**

Second Reading of Ordinance 985 proposing amendments to sections 105.8, 105.8.01, 105.8.02, 105.8.05, 105.8.06 and 105.8.07 of the Waverly Municipal Code of Ordinances to allow bicycle riding on the downtown sidewalks and to eliminate the bicycle licensing requirements.

**Moved By: Neuendorf**

**Seconded By: Gade**

Amendment to Second Reading of Ordinance 985 to amend Section 105.8.07 as follows: SEC. 105.8.07 RIDING ON SIDEWALKS. Bicycles may be operated upon the sidewalks in the residential district, and the business district, ~~but are excluded between First Street and 4<sup>th</sup> Street East on Bremer Avenue.~~ Ordinance 985 is further amended as follows: SEC. 105.8.11 TOWING UNLAWFUL. It is unlawful for any person riding a bicycle to be towed or to tow any other vehicle upon the streets of the city. The exception to this is ~~purpose-built bicycle trailers~~ devices designed to be towed by a bicycle. It is also unlawful for any person riding a bicycle to follow ~~a fire truck or other fire equipment at any time~~ any emergency vehicle at any time. Ordinance 985 is further amended by changing

the word ride, riding or ridden wherever referenced in Section 105.8 Bicycles to reference to as operate, operated or operating is hereby approved.

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

2. Second Reading of Ordinance 986 proposing to replace Economic Development Commission Chapter 33 with a new Chapter 33 of the Waverly Municipal Code of Ordinances.

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

Second Reading of Ordinance 986 proposing to replace Economic Development Commission Chapter 33 with a new Chapter 33 of the Waverly Municipal Code of Ordinances is hereby approved.

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

3. Resolution 14-120 approving the minor subdivision plat for the creation of new parcels, Parcel 1, Parcel 2 and Parcel 3 for property in the 800 block and on the west side of 12<sup>th</sup> Street SE as a part of the purchase of land from Stuart Mackey.

- This purchase is being proposed to provide for new platting and alignments for public right-of-way on 12<sup>th</sup> Street and lot creation to assist with the current seller in marketing the remaining property.
- A long term goal of the City has been to create Cedar River Parkway to connect Hwy. 3 east to Hwy. 3 west.
- We are currently working on the area between 4<sup>th</sup> Street and 8<sup>th</sup> Street SE.
- Mr. Mackey's property is located on the east side of Cedar River where the bridge would be constructed to go over the river.
- Mr. Mackey recently listed his property for sale.
- There is a proposed agreement to allow the City to purchase property to both add an alignment for the parkway and have property already acquired on the east side of the river and protect a wooded river bank area and give the City access for future sewer alignments.
- Staff is also working with Mr. Mackey to further establish lots on his property to make it more marketable as future development land, to acquire some right-of-way for the City so that 12<sup>th</sup> Street can be widened to meet current street designs.

**Moved By: Waldstein                      Seconded By: Gade**

Resolution 14-120 approving the minor subdivision plat for the creation of new parcels, Parcel 1, Parcel 2 and Parcel 3 for property in the 800 block and on the west side of 12<sup>th</sup> Street SE as a part of the purchase of land from Stuart Mackey as previously approved on July 21, 2014 is hereby approved.

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

4. Resolution 14-121 approving the minor subdivision plat for the creation of new parcels, Parcel CC, Parcel DD, Parcel T and Parcel U for property in the 800 block of 12<sup>th</sup> Street Southeast for residential lot creation.

- The north 2 parcels will be sold to one party and the south 2 parcels will be sold to one party.
- These parcels cannot be further sub-divided without approval of a subdivision plat.

**Moved By: Kangas                      Seconded By: Gade**

Resolution 14-121 approving the minor subdivision plat for the creation of new parcels, Parcel CC, Parcel DD, Parcel T and Parcel U for property in the 800 block of 12<sup>th</sup> Street Southeast for residential lot creation for Applicant Stuart Mackey is hereby approved.

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

5. Resolution 14-122 approving an agreement between the City of Waverly and Stuart Mackey regarding platting and subdivision of Parcel CC, Parcel DD, Parcel T and Parcel U in the 800 block of 12<sup>th</sup> Street Southeast.

**Moved By: Reznicek                      Seconded By: Gade**

Resolution 14-122 approving an agreement between the City of Waverly and Stuart Mackey regarding platting and subdivision of Parcel CC, Parcel DD, Parcel T and Parcel U in the 800 block of 12<sup>th</sup> Street Southeast is hereby approved.

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

6. Resolution 14-123 replacing Resolution 89-8, allowing for the installation of a second water meter for water consumption that will not enter the sanitary sewer system, providing for rates and charges therefore.

- The charges to recover costs of the meter. It would cost approximately \$150 plus the electronic remote transmitter (ERT).
- It is no longer required that a licensed plumber install the meter. The only requirement is that it is installed correctly as verified by the county building official through a properly obtained building permit.

**Moved By: Neuendorf                      Seconded By: Gade**

Resolution 14-123 to replace Resolution 89-8 allowing for monthly reading and billing of a 2<sup>nd</sup> water meter and to allow for the billing of materials supplied by the City associated with the 2<sup>nd</sup> water meter is hereby approved.

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

**H. Reports from Boards and Commissions**

1. Leisure Services Commission Minutes, August 21, 2014. Received into record.

**I. Staff Comments**

1. Monthly Financial Report, August, 2014. Received into record.  
2. The W Monthly Revenue Report, July, 2014. Received into record.  
3. Staff comments.
- City Administrator Phil Jones reviewed upcoming agenda items.
  - City Administrator Phil Jones provided a draft copy of a rental housing code and asked for feedback.

**J. City Council Comments**

- Council discussed whether a September 29 meeting should be scheduled. Council agreed there should be a work session on September 29 regarding Capital Planning Goals and Pre-budget Planning.

**K. Mayor's Comments**

- Mayor Infelt recognized and congratulated Waverly-Shell Rock High School on winning the state sponsored Challenge Cup for 3A. This is a statewide competition based on 50% academics and 50% music and sports. Waverly-Shell Rock High School was the top point getter when putting all four divisions together.

**L. EXECUTIVE SESSION.**

To discuss collective bargaining strategy for upcoming City Unit and City Unit negotiations as provided by Section 20.17(3) of the Code of Iowa.

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

To enter into Executive Session is hereby approved.

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

**Moved By: Neuendorf                      Seconded By: Gade**

To reenter into open session is hereby approved.

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

**M. Adjournment**

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

Meeting adjourned at 9:21 p.m.

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

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Charles D. Infelt, Mayor

ATTEST:

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Carla Guyer, City Clerk