

Regular Meeting Minutes – October 20, 2014
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on October 20, 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: Waldstein Seconded By: Neuendorf

October 6, 2014 minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

D. Guest Councilperson

Mayor and Council welcomed Travis Toliver as Guest Councilmember for October.

E. Proclamation

1. To Proclaim November as “Pancreatic Cancer Awareness Month”.

Moved By: Kangas Seconded By: McKenzie

To Proclaim November as “Pancreatic Cancer Awareness Month” is hereby approved.

Yes: 7 No: 0 Absent: 0

F. Public Hearings

1. This was the date, time and place for a public hearing on the proposition of the issuance of not to exceed \$1,950,000 Water Revenue Bonds, Series 2014B, of the City of Waverly, State of Iowa.

There were no written comments. There was one public comment from Duane Liddle who inquired about the water rate increases and the use for the income from those increases.

City Administrator Phil Jones informed Mr. Liddle that rate increases are reviewed annually as part of the budget process.

Moved By: Waldstein Seconded By: Wygle

Resolution 14-135, instituting proceedings to take additional action for the issuance of not to exceed \$1,950,000 Water Revenue Bonds, Series 2014B, of the City of Waverly, State of Iowa is hereby approved.

Yes: 6 No: 1 (Gade) Absent: 0

G. Public Comments on Items Not on the Agenda

- Staff informed Duane Liddle the conditional letter of map revision (CLOMR) is a formal process which is done in respect to the timing of a project such as the Dry Run Creek Improvement project and the Letter of Map Revision for the Cedar River levels will take be effective October 24. Staff also informed Mr. Liddle that the noise from the dam seems to have subsided in the last 2 years or so.

H. Consent Calendar

1. Pay Request from Design Alliance, Inc. for professional services rendered for the Waverly Public Services for Operations and Disaster Response in the amount of \$31,340.37.
2. Pay Request from Peterson Contractors, Inc. for the Site Preparation Package for the Public Services Center in the amount of \$50,668.89.
3. Pay Request from Peterson Contractors, Inc. for Cedar River Parkway (West) 2013 for \$311,030.86.
4. Pay Request from Feldman Concrete for the Citywide Concrete Sidewalk Repairs- 2014 for \$28,041.44.
5. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the Hazard Mitigation Plan (HMP) update for \$434.66.
6. Approval of September, 2014 Cash Disbursements.
7. Class C Liquor License for Casey's Marketing Company- Casey's General Store #1649.
8. Class B Native Wine Permit for Ann's Liquidation Service, LLC- Renewed Purpose.
9. Class C Liquor License for Blake's Bar and Grill d/b/a Beach Taverns, LLC.
 - Staff informed council regarding number 3, the median on 4th St SW is anticipated to be completed this week and both directions of traffic should be back to two lanes by the end of next week. The turn arrow will be restored for northbound traffic turning left onto 10th Ave SW next week Traffic control at that intersection remains under examination and will remain throughout the winter. The project is 9 weeks behind and will not be completed this calendar year. Work will continue as long as weather allows. The first priority is the 4th Street SW intersection, second is 8th St. SE and third is to complete the section by the Eliassen Addition between 1st St. and 3rd St. SE.

Moved By: McKenzie Seconded By: Neuendorf

Consent Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

I. Tabled Items

1. Third and Final 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: Kangas Seconded By: Gade

Third and Final 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: Kangas

Third and Final Reading of Ordinance 985 is hereby removed from the table.

Yes: 7 No: 0 Absent: 0

- Discussion took place regarding the language of the State Code of Iowa vs. the intent of Council.

Moved By: Neuendorf Seconded By: Kangas

To amend Section 105.8.09 to replace the following wording: ~~“Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction shall ride operate as near to the right hand side of the traveled portion of the roadway as possible except under any of the following situations:~~

- ~~A. When overtaking and passing another bicycle or vehicle proceeding in the same direction.~~
- ~~B. When preparing for a left turn at an intersection or into a private road or driveway.~~
- ~~C. When reasonably necessary to avoid conditions, including but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, or surface hazards.”~~

With the words:

“Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic upon all roadways, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding the in the same direction or when preparing for a left turn at an intersection, an alley, private road or driveway.”

Yes: No: Absent: (There was no

vote)

Moved By: Neuendorf Seconded By: Gade

To Table Third and Final 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 is hereby approved.

Yes: 7 No: 0 Absent: 0

J. Regular Business

1. Resolution 14-136, A Resolution approving contribution by the City of Waverly to the Waverly Area Veterans Post for a Shared Veterans Service Center.
 - Darrell Blasberg, Chairman of the Board of Directors of the Waverly Area Veterans Post introduced Carl Benning and Larry Buchholz.
 - Carl Benning gave a report on fund raising efforts. There has been nearly \$3M committed to the project by over 600 donors and a goal of \$3.6M. The post has received a \$675,000 Vision Iowa Grant. All contributors of \$1 and more will be recognized on the wall of honor in the new facility.
 - Larry Buchholz reviewed construction plans. The City’s support was very helpful in receiving the Vision Iowa Grant. This is the only facility in Iowa that will combine 4 posts into 1 facility and still operate as individual posts. There will be assistance to homeless, jobless, people needing mental assistance to help with PTSD and providing the capability for families to communicate with loved ones stationed overseas. The upper level will be primarily a banquet hall, museum and catering kitchen.

Moved By: Kangas

Seconded By: Wygle

Second Reading of Ordinance 987 proposing to replace the Historic Preservation Commission Chapter 49 with a new Chapter 49 of the Waverly Municipal Code of Ordinances is hereby approved.

Yes: 7

No: 0

Absent: 0

5. First Reading of Ordinance 988 amending the Zoning Ordinance of Waverly for the rezoning of 23.6 acres from C-2 to M-2 located on the north side of East Bremer Avenue, approximately 800 feet west of 39th Street NE.

- Beau Buchholz, legal counsel for Schneider’s Milling, Inc. stated that Schneider’s Milling, Inc. is already in compliance with the setback provision requirements for M-2 (Heavy Industrial District) and this is consistent with the future land use plan.

Moved By: Wygle

Seconded By: Waldstein

First Reading of Ordinance 988 amending the Zoning Ordinance of Waverly for the rezoning of 23.6 acres from C-2 to M-2 located on the north side of East Bremer Avenue, approximately 800 feet west of 39th Street NE and setting November 3, 2014 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers as the date time and place for a public hearing is hereby approved.

Yes: 7

No: 0

Absent: 0

K. Reports from Boards and Commissions

1. Bremer-Waverly Law Enforcement Board, September 8, 2014, Received into record.
2. Economic Development Commission Minutes, September 16, 2014, Received into record.
3. Planning and Zoning Commission Minutes, October 2, 2014, Unapproved and
4. will be received into record once they are approved.
5. Waverly Community Sharing Gardens, 2014, Received into record.
6. City of Waverly State Annual Financial Report, FY 2014, Received into record.
7. Monthly Financial Report, September, 2014, Received into record.

L. Staff Comments

1. Staff comments.
 - City Administrator Phil Jones reviewed tentative agenda for the upcoming study session on October 27 with topics including: Champions Ridge update, review of parking and one-way alley behind Joe’s KnightHawk and also council procedures.

M. City Council Comments

- Councilmember McKenzie explained that taking out additional bonds does not jeopardize the City’s credit limit. Also, Council continues positivity in the Champions Ridge project.
- Councilmember Reznicek commented about the black top on Bremer Avenue and staff confirmed it is just a “band-aid” until the State can obtain construction funds for a project in 2016 or 2017, however at this time there is still no funding for such a project.
- Councilmember Kangas reminded the public that the City does have leaf pick services and they should contact Public Services at 352-6247 if they would like more information.

