

Regular Meeting Minutes – December 1, 2014
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on December 1, 2014 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: McKenzie, Gade, Neuendorf, and Kangas. Reznicek arrived at 7:03 p.m. Absent: Waldstein.
Vacant: 1st Ward.

A. Call to Order

B. Pledge of Allegiance

The Mayor Infelt led the Council in the Pledge of Allegiance.

C. Prayer.

Mayor Infelt led the Council in prayer.

D. Approval of Agenda

Moved By: Neuendorf Seconded By: Gade

Approve agenda as presented.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

E. Approval of Minutes

Moved By: McKenzie Seconded By: Neuendorf

Approve the November 17, 2014 regular minutes and November 24, 2014 Study Session.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

F. Guest Councilperson

Council welcomed Ryan Frerichs as December Guest Council.

G. Proclamation.

Mayor Infelt proclaimed December 2, 2014 as “#Giving Tuesday”.

- Kirsten Youngberg, Development & Community Relations Coordinator for the Larrabee Center, Inc. informed council and the community on “#Giving Tuesday”, a day to remind individuals to give back to the community in the form of time, money or resources.

H. Public Hearings

1. This was the date, time and place for a public hearing on the Plans, Specifications, Form of Contract and Estimated Costs for the Public Services Center for Operations & Disaster Response – Building package.

No written comment and one oral comment was received.

- Duane Liddle commented on the information relayed from staff to council, water/sewer rate increases, use of unrestricted funds, Local Option Sales Tax being used for seal coating streets, interpretations of information to council, estimated costs of the public services facility, option for overhead crane being necessary, and concerns the amount of administrative space.

Discussion continued.

- Council packet informed of what some of the cost increases were attributed to with a little more breakdown.
- Cost estimates are conservative opinions.

- Kristofer Orth of Design Alliance explained the plans, specifications, form of contract and estimated costs proposed is for Phase 1 of the project only. Phase 1 is the first 27,000 that includes the admin. and equipment services, bay space and a wash bay for streets. Phase II is for an additional 12,000 to 15,000 square feet that will be added in the future in order to locate all operations at one site.
- This action is to approve going out to bid, with bids received at January 5 Council meeting.

Mayor Infelt then closed the hearing.

Moved By: Neuendorf Seconded By: McKenzie

Resolution 14-145 approving on the plans, specifications, form of contract and estimated costs for the Public Services Center for Operations & Disaster Response- Building package.

Yes: 4 No: 1 (Gade) Absent: 1 Vacant: 1 (Ward 1)

I. Public Comments on Items Not on the Agenda

- Duane Liddle commented on visitor comment section on study session agendas and the change in Council seating.

J. Consent Calendar

1. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway (West) Construction Services for \$35,656.00
2. Pay Request from Kluesner Construction for the Citywide Asphalt Patching Fall 2014 for \$36,332.22
3. Pay Request from Barry Smith Grading & Excavating for Water Services work on 1st Street SW for \$16,092.47.
4. Pay Request from Tiedt Nursery, LTD for the Civic Center Retaining Wall for \$29,500.
5. Approval of October, 2014 Cash Disbursements.

Moved By: Neuendorf Seconded By: McKenzie

The Consent Calendar is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

K. Regular Business.

1. Review of Waverly Light and Power Amended 2014 Budget and 2015 Adopted Budget.
 - Waverly Light & Power Rate & Finance Manager Vicki Hall reviewed the Amended 2014 Budget and the 2015 Adopted Budget for Waverly Light & Power. Ms. Hall noted the reason for the budget amendment included unplanned wholesale rate increases of 6.5% from the energy supplier beginning in November, 2014 and an additional fixed wholesale customer charge of \$582,770. The increases will be paid for from the rate stabilization fund with no increases to customers at this time.
 - The rate increases are on the wholesale level and not reflected on customers at this time.
 - The rate stabilization fund comes from funds paid by users of the electricity and held there for such demands to discourage turbulent rate increases to the customers.

2. Review of Waverly Communications Utility d/b/a Waverly Light and Power Budget.
 - Waverly Light & Power Rate & Finance Manager Vicki Hall reviewed the Adopted Budget for the Waverly Communications Utility, bids are expected back the 1st week of January for Fiber and should go to board for approval February 10.
3. Resolution 14-146 appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement.
Moved By: Reznicek Seconded By: Kangas
Resolution 14-146 appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement is hereby approved.
Yes: 4 No: 1 (Gade) Absent: 1 Vacant: 1 (Ward 1)
4. Resolution 14-147 authorizing and providing for the issuance and securing the payment of \$1,870,000 water revenue bonds, series 2014B, of the city of Waverly, state of Iowa, under the provisions of the city code of Iowa, and providing for a method of payment of the bonds.
Moved By: Kangas Seconded By: Neuendorf
Resolution 14-147 authorizing and providing for the issuance and securing the payment of \$1,870,000 water revenue bonds, series 2014B, of the city of Waverly, state of Iowa, under the provisions of the city code of Iowa, and providing for a method of payment of the bonds if hereby approved.
Yes: 4 No: 1 (Gade) Absent: 1 Vacant: 1 (Ward 1)
5. Resolution 14-148 accepting the public infrastructure for the Breezy Hill Subdivision and approve payment to Mark Evert for the extension of sanitary sewer main.
 - Final step in bringing sewer service to the new subdivision consisting of 5 residential properties located in the southeast corner near Centennial Oaks.**Moved By: McKenzie Seconded By: Neuendorf**
Resolution 14-148 accepting the public infrastructure for the Breezy Hill Subdivision and approve payment of \$20,000 to Mark Evert for the extension of sanitary sewer main per 2013 agreement is hereby approved.
Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)
6. Resolution 14-149 approving Change Order No. 1 and accepting the Public Services Center for Operations & Disaster Response- Site Grading project as complete with the final pay request to Peterson Contractors, Inc.
Moved By: McKenzie Seconded By: Kangas
Resolution 14-149 approving Change Order No. 1 for the net increase of \$7,967.60 and accepting the Public Services Center for Operations & Disaster Response- Site Grading project as complete with the final pay request of \$125,404.91 to Peterson Contractors, Inc. is hereby approved.
Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

Moved By: Reznicek

Seconded By: McKenzie

Resolution 14-153 approving Addendum #1 for additional architectural services by AHTS Architects for the Shades of Rhythm Amphitheatre Project for the lump sum amount of \$787.50 is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

11. Filling 1st Ward Vacancy by appointment or special election.

- Candidate Dan Lampe is an employee of John Deere for 20 years, lived in Dubuque for 11 years and moved back to Waverly in 2006. Born in Waverly in 1964 and is a Waverly-Shell Rock graduate of 1983. He would like to run for Council because he cares, would like to make a difference and give back to the community.
- Candidate Brian Birgen is a professor at Wartburg College. He and his wife moved to Waverly between 1997 and 1999. Waverly is a great place to raise children. He is committed to the community and would like to be on the Council simply to give back to the community and being a responsible steward as a place to raise his children. He would rather the City be able to save the funds and not have to hold a special election but would be interested in running if a special election was inevitable.
- Candidate Matt Nolte is a Wartburg alumnus. He is an employee of CUNA Mutual Group. He also feels Waverly is a great place to raise children. He would like to be active and involved in the community and have a part in making this a great place to have his 2½ year old daughter grow up.
- Council agreed that with multiple persons interested it would be in the best interest of Waverly to hold a special election. The citizens of the ward having a say in the end result outweighs the costs. New faces are welcome and experience will come.
- Thanks was given to Gene Lieb for his previous service on Council and his willingness to fill the seat until the next general election.
- Election timeline was discussed.

Moved By: Kangas

Seconded By: Gade

To fill the 1st Ward Vacancy through a Special Election with a preferred date to be held on January 13, 2015 or January 20, 2015 if County Auditor prefers is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

12. 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, 105.8.07, 105.8.09, 105.8.10, and 105.8.11 of the Waverly Municipal Code of Ordinances to allow bicycle riding on the downtown sidewalks and to eliminate the bicycle licensing requirements.

- Mike Stevens thanked the City for their time invested in recreational aspects and having no differences between local and state codes.

Moved By: Neuendorf

Seconded By: Kangas

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, 105.8.07, 105.8.09, 105.8.10, and 105.8.11 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: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

13. Second Reading of Ordinance 990, an Ordinance Adopting the “City Code of the City of Waverly, Iowa.”

Moved By: McKenzie Seconded By: Gade

Second Reading of Ordinance 990, an Ordinance Adopting the “City Code of the City of Waverly, Iowa” and to waive the 3rd reading is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

14. Cancellation of December 22, 2014 Study Session meeting.

Moved By: Neuendorf Seconded By: McKenzie

Cancellation of December 22, 2014 Study Session meeting is hereby approved.

Yes: 5 No: 0 Absent: 0 Vacant: 1 (Ward 1)

L. Reports from Boards and Commissions

1. Board of Adjustment Minutes, November 10, 2014 (Received into record)
2. Golf Commission Minutes, November 6, 2014 (Received into record)
 - The Country Club Board and the Waverly Golf Course agreed on a joint mission statement.
3. Planning and Zoning Commission Minutes, November 6, 2014 (Received into record)
4. The W Monthly Revenue, October, 2014 (Received into record)

M. Staff Comments

- One item will be on the December 15 agenda to approve a purchase Bill Lowe for for approximately 35 acres for the airport extension project.

N. City Council Comments

- Councilman Reznicek commented that the seat change was done by his request to in an effort to change the dynamics of the Council every once in a while. He also inquired how a budget cut of 5 to 10% would impact services and what process would be taken to get to those numbers.
- Budget meeting timeline and budget expectations were discussed.

O. Mayor’s Comments

- We should celebrate that the Business Insider rated Waverly as the 4th best valued suburb in the Country.

P. Executive Session

To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session.

Moved By: Kangas Seconded By: Neuendorf

To enter into Executive Session is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

Moved By: Neuendorf Seconded By: Gade

To reenter into open session is hereby approved.

Yes: 5 No: 0 Absent: 1 Vacant: 1 (Ward 1)

Q. Adjournment

Moved By: Kangas

Seconded By: Neuendorf

To adjourn is hereby approved.

Yes: 5

No: 0

Absent: 1

Vacant: 1 (Ward 1)

Council adjourned at 10:45 P. M.

Charles D. Infelt, Mayor

Attest:

Carla Guyer, City Clerk