

Regular Meeting Minutes – June 15, 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on June 15, 2015 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Reznicek, Waldstein, Lampe, McKenzie, Gade, Neuendorf, and Kangas. Absent: None

A. Call to Order

B. Approval of Agenda

Moved By: Neuendorf Seconded By: Waldstein

Agenda as presented is hereby approved.

Yes: 7 No: 0 Absent: 0

C. Approval of Minutes

Moved By: Neuendorf Seconded By: McKenzie

The June 1, 2015 regular meeting minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

- Council welcomed Jill Krall as Guest Council person for June.

D. Proclamation.

Proclaiming June 19 & 20, 2015 as Gentlemen of the Road Days for the City of Waverly.

Moved By: Kangas Seconded By: Waldstein

June 19 & 20, 2015 are hereby proclaimed to be Gentlemen of the Road Days for the City of Waverly.

Yes: 7 No: 0 Absent: 0

E. Public Hearings

1. This was the date, time and place for a public hearing for a special permit request for campsite for a special event NE of Tumbleweed Trail on 34.59 acre property in NE Waverly scheduled for September 2016.

- Duane Liddle said he was in favor of the special permit, however, inquired regarding the need for a permit when owner of land is approving the campsite be located on his property. Staff informed Mr. Liddle that the current zoning does not fit the definition of a residential or agricultural use and therefore it is asked that the owner apply for the special permit.

- **The Public Hearing was then closed.**

Moved By: McKenzie Seconded By: Neuendorf

Resolution 15-84, Resolution approving a special permit request to allow for campsite and associated accommodations 1,500 campsites as requested by property owner of 34.59 acre property located on the NE corner of Tumbleweed Trail and Evans Street in NE Waverly in September 2016 is hereby approved.

Yes: 7 No: 0 Absent: 0

F. Public Comments on Items Not on the Agenda

- Duane Liddle asked about the Dry Run at the Bowling Alley and all other Dry Run locations not being cleaned out and free of weeds, grass and liter.
- Mayor addressed this question by reiterating that it is a matter of distribution and priority of labor resources.

G. Consent Calendar

1. Pay Request from VJ Engineering for the 3rd Street SE Bridge Evaluation and Feasibility Study for \$4,565.00.
2. Pay Request from VJ Engineering for the 3rd Street SE Bridge Evaluation and Feasibility Study for \$4,350.00.

3. Pay Request from Water's Edge Aquatic Design, LLC for Outdoor Pool Renovation Project for \$4,962.17.
4. Pay Request from Woodruff Construction, LLC for Outdoor Pool Renovation for \$7,080.35.
5. Pay Request from Heartland Asphalt, Inc. for 2nd Ave SW Reconstruction & Babcock Woods Trail Extension for \$130,042.77.
6. Pay Request from Design Alliance for Public Services Center for Operations & Disaster Response for \$7,107.15.
7. Pay Request from Boulder Contracting for Citywide Ped Ramp Construction 2015 for \$24,887.05.
8. Setting a public hearing to review the Citywide Sidewalk Repairs 2015 project plans, specifications, form of contract, and estimated cost for July 6, 2015 at 7:00 P.M. in the Council Chambers at City Hall.
9. Class C Liquor License for The Fainting Goat.
10. Class B Beer Permit for Waverly Heritage Days
11. Cigarette/Tobacco/Nicotine/Vapor Permit for:

| | |
|------------------------------------|------------------------------------|
| <i>Casey's General Store #1649</i> | <i>Liquor & Tobacco Outlet</i> |
| <i>Dollar General Store</i> | <i>Morel's Hookah Lounge</i> |
| <i>Fareway Stores, Inc. #561</i> | <i>The Smoking Dragon</i> |
| <i>Hy-Vee</i> | <i>Walgreens</i> |
| <i>Kwik Star #707 & #752</i> | <i>Wal-Mart</i> |
12. Approval of May, 2015 Cash Disbursements.
Moved By: Waldstein Seconded By: Neuendorf
The Consent Calendar is hereby approved.
Yes: 7 No: 0 Absent: 0

H. Regular Business.

1. Resolution 15-85 approving a donation by the City of Waverly to the Heritage Days Committee.
Moved By: Neuendorf Seconded By: Kangas
is hereby approved.
Yes: 7 No: 0 Absent: 0
2. Third and Final Reading of Ordinance 996A, an Ordinance amending the Zoning Ordinance of Waverly, Iowa providing for Rezoning of 12.33 acres from Agricultural District (A-1) to Multiple Family Residential- Transitional District (R-4) on the south side of the Cedar River Parkway.
 - Council and staff discussion included: limitations of number of stories allowed and a limitation of number of stories would require a new development agreement due to current zoning allowing for a height of 3 stories.
 - Brent Dahlstrom, developer explained that the current zoning would allow for more suitable density of housing being closer to Miller True Value with less density flowing toward the soccer field and encourage single family development adjacent to the soccer fields. It seems that there is already a natural green space present with the soccer fields and the R-4 zoning would allow for smaller, more affordable lot sizes for single family homes.**Moved By: Waldstein Seconded By: McKenzie**
is hereby approved.
Yes: 5 No: 2 (Lampe, Gade) Absent: 0

3. Third and Final Reading of Ordinance 996B, an Ordinance amending the Zoning Ordinance of Waverly, Iowa providing for Rezoning of 1.75 acres from Agricultural District (A-1) to Commercial District (C-2) on the south side of the Cedar River Parkway.

Moved By: McKenzie **Seconded By: Waldstein**
is hereby approved.

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

4. Resolution 15-86 committing City funds of \$48,000 as a local match in support of its application for the Workforce Housing Tax Credit program through the IEDA for project Bremer Court Apartments project.

- Richard Dane and Tom Slather were present to define project and answer questions and added that this project will help people get started in Waverly, provide growth to the school system, and allow people to come to Waverly who want to live in Waverly and stay here. This is a competitive grant application process. Many communities compete for this money. Must provide discounted rents for a minimum of 30 years which could possibly be an estimated \$7.5 Million rent savings to citizens in Waverly over that period and in exchange Federal Gov't provides \$5 Million in financing to help the project.

- Butch Kehe said that he was not opposed to the project and is only opposed to the location of the proposed project and amount of traffic.

- Waverly Childcare & Preschool Director Luann Scallon is opposed to location of project with traffic counts already a concern and has had a number of parents and board members who are concerned with children's safety due to the project next door, and the money paid in taxes to build the project.

- Duane Liddle is also opposed due to the effects this project would have on the community with number of fire and police calls increasing and domestic violence cases increasing. He also said that only about 7 or 8% of the tenants would be teachers and people starting out in life, however, the rest of the tenant population would be doing their business all night. A number of complaints come to the manager. Manager has to deal with constant drug abuse, problems with people who are not working because when they work it takes away the subsidy of the rent and that doesn't leave much incentive to work. Managers have a tendency to fill the units with people that migrate. They are migrating from the ghetto.

- Tim Bradford points to the effects this project would have on Waverly and this will open doors for other investors to ask for a handout at the expense of the citizens of Waverly, He asked what is the return on this investment for the City of Waverly and its citizens, what is in it for the public? He said once investors all line up for a hand out there will be no money left for a swimming pool or good old single family housing which is where the biggest demand is currently. The City should put the money towards other projects that benefit the community not just a handful, the rental market industry levels competition and demand for any level of housing, an investor will find it if there is enough return on the risk he is taking, affordability of rent, Maxfield Housing study would have points open to discussion, need for policy/plan for projects that come forth to the City for disbursement of monies, competition is effective when there is a level playing field, and vacancy of subsidized housing. Thank you to Anelia and the Waverly Newspapers in publishing the series in the paper with sharing information to the

public.

- Barth Steere agreed with previous speakers and would find it hard to compete with subsidized housing. They have all new units that are up to code and all are nice and he would ask for a level playing field.
- Ed White agrees with Barth Steere. After 20 years it is harder and harder to fill rentals and he has the best rentals around and is also in favor of project with a level playing field.
- Kathy Olson made comments including: quoting the Maxfield Research housing study says that Waverly's renter base is seeking newer rentals with modern amenities that are not offered in older developments because of the age of Waverly's rental housing inventory most properties do not provide modern features and amenities. As such, it appears that many renters choose to reside in newer rental developments located in other communities, Waverly's rental housing market is aging as the median year built for all properties surveyed being built in 1971 and there has not been a new project developed since 1997, CUNA Mutual Group, Wartburg College and Waverly Health Center are the largest employers in the City and combined these three establishments employ over 20% of all workers in the City, the starting pay at these major employers ranges from about \$29,000 to \$31,000 annually, a target level of \$37,500 for the Bremer Court project, these folks, and teachers and nurses would be eligible for Bremer Court. Mrs. Olson also commented on the opinions of others regarding low income housing pulling down housing values in the area and finds these comments demeaning, offensive to other groups who have less and should not be used as scare tactics to defeat the project. She asked about the Waverly Newspaper article regarding questions of effects of real estate tax rollbacks and would this qualify as double dipping? This project would increase the tax base in Waverly, and asked about council members having conflict of interest and their voting.
- Economic Development Commission member, Steve Egli stated there is an obvious need for rental housing, there is no need to rely on housing studies, the Des Moines Register study of last year said that rural areas are not seeing multiple family housing or affordable housing builds is a chronic problem, didn't feel there would be such a debate, doesn't fault local builders for the debate, the problem is cost of building, thinks there is a need for this, tremendous asset to the community, agreed with the comments that have been made regarding potential renters and does not feel this project poses a traffic hazard.
- Concerned citizen and member of Economic Development Commission, Patsy Reed commented on Economic Development Commission studying this issue and has also heard from different employers of the community of the difficulty of the new employees coming to the community and having difficulty finding affordable housing options. She said when in the workforce over half of people hired lived outside the community because they couldn't afford to live here so the lack of quality housing choices makes retaining and attracting talented workers a real challenge, we are not unique as a community to have this challenge, market rate homes and homes for low and moderate income families can be built side by side and those neighborhoods can thrive, communities should strive to provide decent housing options and safe neighborhoods for all income levels, this project shows that can be done. She said the public/private partnership is something that we should be going forward with, urge to take strong look at it

and move project forward.

- Emily Neuendorf, concerned citizen and landlord, shared her feelings regarding the negative comments that have been said by people in the community and continued by listing several employers with employees that would qualify to live there including friends. Ms. Neuendorf also commented that putting the Maxfield Research study aside that the need for additional housing was evidenced by citizens that contacted the Chamber office while she was employed as the director for the Chamber for three years. There were people that were desperate for housing because of the lack of rental housing and general housing available in Waverly. Jim Thompson, Iowa Economic Development Authority employee completed a housing focus study for Charles City with three focus groups. One focus group was made up of individuals who worked in Charles City and lived elsewhere and Mr. Thompson heard multiple times that the housing market in Charles City was either Clear Lake/Mason City or Cedar Falls due to people not being able to find something to rent in Waverly.

- Council and staff discussion included: this is not a Section 8 housing plan, there are no vouchers or subsidies to consider, this includes a Section 42 financing program to help provide equity for the construction of the project beyond that there are no rental subsidies, a competitive application that is chosen by Iowa Finance Authority is awarded tax credits and those credits are then sold and come in as equity to allow for smaller mortgage loans and in turn allows for reduced rents, there is a need for re-application to the federal government in December for the project, this would be a capital source for the construction, there is no rental subsidy, the funding source is highly regulated by the Iowa Finance Authority (IFA), this type of funding is basically a grant, there is a requirement to provide reduced rents to residents for a minimum of 30 years, there is no requirement for personal investment by the developers, local financial commitment was originally considered based on a local match referred to in the City of Waverly Resolution 13-99 and needs to be updated for current project, average rent for a 2 bedroom apartment for this project is anticipated to be approximately \$795 per month, in SF295 the Section 42 Housing is specifically excluded so this project would not benefit from the new property tax roll backs, traffic flow, location and width of a drive will be dictated to the developers, Bremer Avenue upcoming reconstruction, this is a gray field project with existing infrastructure that has been in place for at least 25 years, timing of resolution, time frame, developers will need to come back to Council to request any additional funds, market rates, units will include all utilities except electric, and will be working for a housing program/protocol.

Moved By: Waldstein

Seconded By: McKenzie

Moved By: Kangas

Seconded By: Waldstein

To amend Resolution 15-86 by adding the words “in property tax rebates” after “\$48,000” in the NOW, THEREFORE BE IT RESOLVED.....paragraph at the end of the resolution is hereby approved.

Yes: 7

No: 0

Absent: 0

Resolution 15-86, as amended, committing City funds of \$48,000 as a local match, in the form as a property tax rebate, in support of its application for the Workforce Housing Tax Credit program through the IEDA for project Bremer Court Apartments project is hereby approved.

Yes: 4

No: 3 (Reznicek, Lampe, Gade)

Absent: 0

5. Resolution 15-87 authorizing the purchase of Surface and Overhead Aviation Easement and Acquisition from Glen W. Burkle and Kathy A. Burkle for the safety zone project at the Waverly Municipal Airport in the amount of \$150,000.
- Council and staff discussed: what if others do not agree to sell, this could take a couple more years, risk of losing 10% paid by the City, FAA has made some concessions, FAA has agreed to fund 90% of project, most of the safety zone has been acquired, delay of potential expansion, FAA is approving all agreements and compensation, environmental assessments and appraisals will need to be updated if delayed for extended period of time,
- Moved By: Neuendorf Seconded By: McKenzie**
is hereby approved.
Yes: 4 No: 3 (Reznicek, Lampe, Gade) Absent: 0
6. Resolution 15-88 approving the creation of a Waverly Housing Task Force to review and recommend strategies and policies involving local financial incentives for housing of all types within the city.
- After brief discussion there was a general agreement to discuss this at the June 22, 2015 Study Session.
- Moved By: McKenzie Seconded By:**
Motion died for lack of second.
7. Resolution 15-89 approving the City of Waverly's FAA Application for Federal Assistance SF-424 for runway rehabilitation.
- Moved By: Kangas Seconded By: Neuendorf**
is hereby approved.
Yes: 6 No: 1 (Lampe) Absent: 0
8. Resolution 15-90 approving the City of Waverly's FAA Application for Federal Assistance SF-424 for land acquisition.
- This resolution is required so the City can be reimbursed for expenses related to land acquisition.
- Moved By: Kangas Seconded By: Waldstein**
is hereby approved.
Yes: 7 No: 0 Absent: 0
9. First Reading on Ordinance 998, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning of property from Multiple Family-Transitional (R-4) to Commercial Central Business District (C-3) at 115 1st Avenue NE and setting July 6, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing.
- The current business (Barb Benson Realty) would like to utilize their space for other businesses and to do so it requires the property to be zoned C-3.
- Moved By: Kangas Seconded By: Neuendorf**
is hereby approved.
Yes: 7 No: 0 Absent: 0
10. Resolution 15-91 naming depositories for the City of Waverly.
- Moved By: Waldstein Seconded By: Lampe**
is hereby approved.
Yes: 7 No: 0 Absent: 0
11. Third and Final Reading on Ordinance 997, an ordinance amending Section 105.4.10 of the Waverly Municipal City Code regarding Additional Parking Restrictions for 24 hour parking restriction and designated overnight spaces to be

applied to all City of Waverly downtown parking lots and to prohibit parking in identified areas along 8th Street SW.

Moved By: Neuendorf Seconded By: Gade

is hereby approved.

Yes: 7 No: 0 Absent: 0

12. Cancellation of City Council Study Session meetings for June, August, and September 2015.

Moved By: McKenzie Seconded By:

Motion died for lack of second.

13. Discussion of the addition for a “No Right Turn On Red” sign at 1st Street NE and East Bremer Avenue.

- After brief discussion there was a general agreement to discuss this at the June 22, 2015 Study Session.

14. Mayoral Appointments.

Died for lack of motion.

I. Reports from Boards and Commissions

1. The W Monthly Revenue, April, 2015, Rec'd into record.
2. Monthly Financial Report, May, 2015, Rec'd into record.
3. Waverly Senior Center Minutes, May 21, 2015, Rec'd into record.
4. Waverly Senior Center Calendar, June, 2015, Rec'd into record.
5. Bremer-Waverly Law Enforcement Minutes, June 8, 2015, Rec'd into record.

J. Staff Comments

- Reviewed Wednesday evening traffic control for Gentlemen of the Road and encouraged attendance for this rain or shine event.

K. City Council Comments

- Councilman Gade commented on helping out Photograph by Christine's.
- Councilman Kangas confirmed that discussion of Green Bridge is expected for the July Study Session.
- Councilman Lampe commented on opening of Green Bridge sidewalk.
- Councilman McKenzie commended library staff on a remodeling job that was well done.

L. Mayor's Comments

There were none.

M. Communication

Thank you from the Garden Club to the Parks crew.

N. Adjournment

Moved By: Kangas Seconded By: Neuendorf

To adjourn is hereby approved.

Yes: 7 No: 0 Absent: 0

Meeting adjourned at 10:41 P.M.

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk