

Regular Meeting Minutes – September 14, 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on September 14, 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 (Neuendorf arrived at 7:02 p.m.)

A. Call to Order

B. Pledge of Allegiance

Mayor Infelt led in the prayer.

C. Prayer

Mayor Infelt led in the prayer.

D. Approval of Agenda

Moved By: Waldstein

Seconded By: McKenzie

Moved By: Gade

Seconded By: Lampe

To remove Regular Business Item number 8 from the agenda.

Yes: 3 (Reznicek, Lampe, Gade) No: 4 (Waldstein, McKenzie, Neuendorf, Kangas) Absent: 0

The original agenda as presented is hereby approved.

Yes: 7 No: 0 Absent: 0

E. Approval of Minutes

Moved By: Neuendorf

Seconded By: Waldstein

The August 17, 2015 regular meeting minutes, August 24, 2015 study session minutes and September 1, 2015 special meeting minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

F. Guest Councilperson

Mayor and Council welcomed Randy Neuendorf as Guest Council for September.

G. Public Hearings

1. This was the date, time and place for a Public Hearing on Ordinance 1001 amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning from Commercial (Central Business) District (C-3) to Multiple Family Residential- Transitional District (R-4) for 314 1st Avenue SE.

- There were no written or verbal public comments.

The public hearing was then closed.

Moved By: Gade

Seconded By: Waldstein

Second Reading of Ordinance 1001 amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning from Commercial (Central Business) District (C-3) to Multiple Family Residential- Transitional District (R-4) for 314 1st Avenue SE is hereby approved.

Yes: 7 No: 0 Absent: 0

2. This was the date, time and place for a Public Hearing on Ordinance 1000 amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning from Single Family Residential District (R-1) to One and Two Family Residential District (R-2) for 101 30th Street SE, amending the Comprehensive Land Use Plan from Open Space to Residential.

- City Clerk noted there was one written objection received from Jim and Jan Mehmen and an objection in the form of a petition from neighboring land owners. John Olson, Jim Mehmen and Jan Mehmen also spoke publicly in opposition of the proposed rezoning. Property owner, Seth Engelbrecht was present to speak in favor of the proposed rezoning.

The public hearing was then closed.

- Council and staff discussion followed to weigh details of the rezoning.
- A super-majority of 3/4 of total council is needed to approve which would need a vote of 6 to 1.

Moved By: McKenzie

Seconded By: Waldstein

Second Reading of Ordinance 1000 amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning from Single Family Residential District (R-1) to One and Two Family Residential District (R-2) for 101 30th Street SE, amending the Comprehensive Land Use Plan from Open Space to Residential hereby failed.

Yes: 5 No: 2 (Reznicek, Lampe) Absent: 0

H. Public Comments on Items Not on the Agenda

- Derrick Wygle spoke encourage positive energy throughout the City including social media, Mayor, Council, City Staff and Citizens of Waverly.
- Staff informed Duane Liddle that there are extra chairs that people can use to sit in at meetings; that there is a Type 3 Road Closure barricade at 7th Avenue SW and 2nd Street SW, that Cedar River Parkway is scheduled to be finalized and closed out on the October 5 agenda, and that the Dry Run project is moving quickly and staff was checking to see if there was a possibility that the Gor property be closed on earlier than originally anticipated.

I. Consent Calendar

1. Pay request from Paul Miller Design, Inc. for the Golf Course Pond Renovation Project for the amount of \$1,427.50.
2. Pay request from VJ Engineering for the 2nd Street NW Area Storm & Street Improvements for the amount of \$4,320.00.
3. Pay request from Chosen Valley Testing, Inc. for construction materials testing for the Public Services Center for Operations and Disaster Response for the amount of \$1,198.00.
4. Pay request from McClure Engineering Co. for the Waverly Municipal Airport Runway 11/29 Construction Administration for the amount of \$15,308.34.
5. Pay request from TEAM Services for the Waverly Municipal Runway 11/29 Reconstruction for the amount of \$157.40.
6. Pay request from Stanley Consultants, Inc. for the Cedar River Parkway construction services for the amount of \$7,900.50.
7. Pay request from Boulder Contracting for West Bremer Avenue Sidewalk Extension project for the amount of \$46,128.11.
8. Pay request from Peterson Contractors, Inc. for the Dry Run Creek Improvements project for the amount of \$1,002,858.85.
9. Pay request from Design Alliance, Inc. for the Waverly Public Services for Operations and Disaster Response for the amount of \$5,403.65.

Moved By: Neuendorf

Seconded By: McKenzie

The Consent Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

J. Regular Business.

1. Discuss Waverly PetSafe Bark Park dog park.
 - Staff and Council discussed on fencing gaps at the dog park are due to the size of area covered and the condition of the terrain; and reasons for asphalt parking lot vs. a gravel parking lot; and social web pages are administered on behalf of the City by authorized City staff; and expenditures need to be submitted to the City for approval.

- Dog park committee member Nette Peterson commented that recommendations came from the Dog Park Committee for fencing, parking lot and expenditures. Each decision was based on needs and how to stretch the funds available.
 - Jayne Kielman mentioned that the first talks of a community dog park began with grass roots efforts began a little more than 6 years ago. She also stressed the importance of building positive energy. Ms. Kielman added that there are scheduled Meet & Greets for various businesses/groups at the dog park and dogs from Waverly Pet Rescue will be there awaiting someone to meet and potentially adopt them.
 - Amanda Korth commented on the asphalt parking lot and gaps in the fencing. Ms. Korth feels like concern for their dogs have been understood as negativity when it is concern.
2. The quote for concrete work at the Waverly PetSafe Bark Park from Woodruff Construction of Waterloo, Iowa for the amount of \$13,000.00 is hereby approved.
Moved By: Neuendorf Seconded By: McKenzie
Yes: 7 No: 0 Absent: 0
3. Purchase of office furniture for the Public Services Center for Operations & Disaster Response from Office Concepts, Ltd. of Waterloo, Iowa for the bid amount of \$41,703.45 is hereby approved.
• Staff informed Council that the low bid did not get recommended since it did not meet specifications.
Moved By: Kangas Seconded By: Neuendorf
Yes: 7 No: 0 Absent: 0
4. Resolution 15-116 approving contract for additional services with Paul Miller Architecture for the Golf Course Pond Project of Northfield, Minnesota for the estimated cost of \$6,500 plus reimbursable expenses and \$950 / site visit plus reimbursable expenses is hereby approved.
Moved By: Neuendorf Seconded By: Waldstein
Yes: 7 No: 0 Absent: 0
5. Resolution 15-117 approving a preliminary plat for fifteen (15) residential lots in Highpoint Second Addition for landowner, Steve Darrah is hereby approved.
Moved By: Reznicek Seconded By: Lampe
• Steve Darrah noted that final plat is being looked at and could possibly be complete within one month.
Yes: 7 No: 0 Absent: 0
6. Resolution 15-118, a resolution approving a preliminary plat for seven (7) residential lots in Prairie Park Second Addition on Tumbleweed Lane is hereby approved.
Moved By: Lampe Seconded By: Kangas
Yes: 7 No: 0 Absent: 0
7. Resolution 15-119, a resolution approving a preliminary plat for Omni Development Addition thirty-four (34) single family lots and six (6) other lots at various sizes for future development for landowner, Brent Dahlstrom for property located south of Cedar River Parkway is hereby approved.
Moved By: Neuendorf Seconded By: Kangas
• Mr. Dahlstrom said that this addition would not restrict contractors. Builder would be allowed to choose who they contract with. Single-family homes would be first phase. Hoping to be ready to begin building by spring of 2016. Mr. Dahlstrom's engineer Kyle Helland of Helland Engineering & Surveying LTD, added it may be in the plan to convert lots 24, 25, & 26 into 4 lots and potentially put twin homes on them.

- Council and staff discussed that there would not be any issues for infrastructure with no gravitational issues at this site and road widths will comply to requirements. Twin homes with zero lot lines would require R-2 zoning.

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

8. Resolution 15-120, a resolution rescinding Resolution 10-94 and approving purchase policies for the City of Waverly is hereby approved as amended by only changing wording in reference to petty cash and all other wording shall remain as in Resolution 10-94.

- Petty cash is dealing with several departments and is always accounted for.

Moved By: McKenzie Seconded By: Neuendorf

Yes: 7 No: 0 Absent: 0

9. Approving the FAA Grant Agreement for federal assistance for the acquisition and administrative costs to date for the Airport Safety Zone project at the Waverly Municipal Airport is hereby approved.

Moved By: Neuendorf Seconded By: Waldstein

- This would be reimbursement for costs in accordance with an agreement between the City of Waverly and the FAA that was unanimously approved by Council on June 1, 2015. Staff is continuing to move forward in working with landowners on land acquisition.

Yes: 4 No: 3 (Reznicek, Lampe, Gade) Absent: 0

10. Updates on the Dry Run, Cedar River Parkway, and Waverly PetSafe Bark Park.

- Dry Run is looking great. There is a stretch north of Bremer Avenue that is backed up with a few feet of water and it does have a stench to it. Some additional grading will be tried to see if this aids in eliminating the standing water. There was a small amount of sanitary sewer discharged into the creek. The sanitary sewer line by the Magnalls been repaired with a temporary connection and as work progresses a permanent connection will be installed. The DNR was notified and it did not create an odor. Minor erosion will be patched, repaired and as vegetation established the erosion will decrease. Some asphalt patching may have to be redone due to settling and this will happen before the City accepts the project as complete.

- After all current projects there remains a balance of \$10,425 in the dog park fund which would be used for future maintenance, projects and amenities.

- Cedar River Parkway project will be finalized at the October 5 meeting. Liquidated damages due to late completion will result in the project coming in under budget and those T.I.F. funds can be reallocated to another eligible T.I.F. project. We hope to hear the results of the T.I.G.E.R. grant application for the 3rd and final phase of this project in October. There will be approximately \$1 M of D.O.T. funding available for bridge construction which could be for used any of the bridges in town.

- Butch Kehe will be ready in October to present a report on the Green Bridge to Council.

- West Bremer Avenue sidewalk project will be complete after Century Link moves the pole. Utility conflicts have been the major drag on the projects this year in effecting almost every project we've had.

K. Reports from Boards and Commissions

1. The W Monthly Revenue Report, July, 2015; Rec'd into record.
2. Bremer-Waverly Law Enforcement Board Minutes, June, 2015; Rec'd into record.
3. Golf Commission Minutes, August 11, 2015; Rec'd into record.
5. Leisure Services Commission Minutes, August 20, 2015; Rec'd into record.
6. Waverly Senior Center Calendar, September, 2015; Rec'd into record.

L. Staff Comments

- There were none.

M. City Council Comments

- Staff informed Councilman McKenzie inquired about policy/procedures for “sno-birds” regarding garbage and recycling containers and fees. If citizens would like more information on this they are encouraged to call the City Public Works Department at 352-9065.
- Councilman Lampe inquired regarding status of the Dane/Sather project. Staff responded this will be coming up. Section 42 rules come out in the fall. Rules have to be given before the application can move forward.

N. Mayor’s Comments

- Mayor Infelt commented that City Administrator will be missed in his role as City Administrator.

O. Adjournment

Moved By: Kangas

Seconded By: Neuendorf

To adjourn.

Yes: 7 No: 0

Absent: 0

Meeting adjourned at 9:38 P.M.

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk