

Regular Meeting Minutes – January 5, 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on January 5, 2015 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: McKenzie, Gade, Neuendorf, Reznicek, Waldstein, and Kangas.
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: Waldstein Seconded By: Neuendorf

Approve agenda as presented.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

E. Approval of Minutes

Moved By: McKenzie Seconded By: Kangas

Approve the December 10, 2014 work session minutes.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

Approval of Minutes

Moved By: Neuendorf Seconded By: Gade

Approve the December 15, 2014 regular minutes.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

F. Guest Councilperson

Council welcomed Derek Solheim as January Guest Council.

G. Public Hearings

1. This is the date, time and place for a public hearing proposing Waverly Light and Power/City of Waverly to sell a Vacant Lot located on 7th Avenue NW at the corner of Cedar River Drive to Steere Properties, L.L.C.

No written or oral comments were received.

Due to no public comments, Mayor Infelt closed the hearing.

Moved By: McKenzie Seconded By: Kangas

Resolution 15-01, authorizing the sale of a Vacant Lot located on 7th Avenue NW at the corner of Cedar River Drive to Steere Properties, L.L.C. for \$7,510.00 is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

2. This is the date, time and place for a public hearing on the Plans, Specifications, Form of Contract and Estimated Cost for the 2nd Avenue SW Reconstruction and Babcock Woods Trail Extension project.

No written or oral comments were received.

Due to no public comments, Mayor Infelt closed the hearing.

- Staff reassured that other infrastructures like water and sewer were taken into account with this project.

Moved By: Neuendorf Seconded By: Waldstein

Resolution 15-02, approving of the Plans, Specifications, Form of Contract and Estimated Cost of \$890,404.00 for the 2nd Avenue SW Reconstruction and Babcock Woods Trail Extension project is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

3. The is the date, time and place for a public hearing on Ordinance 991 an Ordinance adding to the current Rental Code Ordinance of Waverly, Iowa to ensure that structures are safe, sanitary and fit for occupation and use. No written comments and one oral comment were received.

- Clarification from a citizen that this is the Second Reading of Ordinance 991.

Mayor Infelt then closed the hearing.

- The two changes from the First Reading were defined as the following:
 - Multi-family rental structures that were built to code as rental units regarding parking at the time of construction, shall be considered legal, although non-conforming. The owner of any other dwelling unit that had no practical space or alternative for the off-street parking required on the effective date of enactment of this Chapter may apply to the Board of Adjustments for a variance of this section. For one year from the effective date of this Ordinance any owner may petition the Board of Adjustments for a variance without the normal fee for said application.
 - The City shall schedule mediation involving the landlord and Code Officer with two persons drawn from a list of rental property owners/managers who have indicated their willingness to participate as a mediator on any Registration Application filed with the City in compliance with this Ordinance, with the City Administrator, and one member of the Waverly City Council.

Moved By: Waldstein Seconded By: Kangas

Second Reading of Ordinance 991 adding to the current Rental Code Ordinance of Waverly, Iowa to ensure that structures are safe, sanitary and fit for occupation and use.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

H. Public Comments on Items Not on the Agenda *(Please limit your comments to five minutes unless additional time is granted by the presiding officer. All remarks shall be addressed to the Council as a whole and not to any individual member.)*

1. Joan Greenlee, representing Bremer County Community Partners, provided information on the services they offer and asked for a \$100 contribution from the city's budget.
- The Bremer County Community Partners provide as many human needs as possible for infants through elderly. Some of the services they offer are foster care essentials, school hygiene and supply needs, and support for the Family Fun Fair.
 - The organization doesn't do fundraisers and relies on grants and gifts to continue providing services. Therefore, they are asking for consideration of \$100 per year from each city in Bremer County.

2. Duane Liddle and Jess Hamilton, representing Heritage Days, made a request for a \$5,000 city contribution for the annual celebration.
 - The Heritage Days committee is currently in the process of restructuring in order to branch out and expand the program into more family-oriented events to include more events on Sunday, and to consider events near downtown.
 - Currently the funding for the weekend is obtained from three sources: can redemption, area business donations, and the city budget. Although the committee is looking at other means of fundraising due to the 2/3 reduction of can income, the committee is requesting for a \$5,000 contribution rather than the current \$2,000 from the city for this upcoming year.

I. Consent Calendar

1. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway (West) 2013 Construction Services for \$20,912.72.
2. Pay Request from AECOM for the GMT Railroad Spur Line for GMT Corporation for \$1,140.82
3. Pay Request from VJ Engineering for 2nd Street NW Area Storm Sewer and Street Improvements 2015 for \$8,915.00.
4. Set the Public Hearing date to review West Bremer Avenue Sidewalk Extension project's Plans, Specifications, Form of Contract and Estimated Cost for February 2, 2015 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers.
5. Set the Public Hearing date to review Citywide Ped Ramp Construction 2015 project's Plans, Specifications, Form of Contract and Estimated Cost for February 2, 2015 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers.
6. Class C Liquor License for East Bremer Diner, Inc.
7. Class C Liquor License for Big Ben Pour House.

Moved By: Waldstein Seconded By: Neuendorf

The Consent Calendar is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

- Council was informed that due to the lengthy process in constructing and closing out for the GMT Railroad Spur Line, this is one of the final payouts to the engineering firm for administering the project.

J. Tabled Items

1. Pay request from AHTS Architects for design services for Shades of Rhythm Amphitheatre for \$815.95 which includes the previously approved addendum amount of \$787.50.

To remove Pay request from AHTS Architects from the table.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

RCV:

Moved By: McKenzie Seconded By: Reznicek

To approve pay request from AHTS Architects for design services for Shades of Rhythm Amphitheatre for \$815.95.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

- Staff clarified the not-to-exceed portion of the contract can be exceeded by an addendum in which with the moving of the band shell from the center of the park to the north end incurred additional costs resulting in this pay request of \$815.95.

K. Regular Business.

1. Review of FY 2014 audit by Jeff Peters from Williams & Co.
 - Jeff Peters of Williams & Company provided an unmodified opinion Comprehensive Annual Financial Report for the fiscal year that ended June 30, 2014.
 - The General Fund balance at the end of the current fiscal year was \$2,210,643 which equates to 127 days of expenses. Mr. Peters refers to this as being a strong fund balance.
 - The audit did not disclose any non-compliance instances to the financial statements.
2. Resolution 15-03 awarding contract for the Public Services Center for Operations & Disaster Response-Building Package project.
 - On December 16th bids were taken for the Public Services Center and had 10 very competitive bids that came in at 10% under the architect's estimate. Staff believed that having the site work completed ahead of time helped make it an attractive site for contractors to bid on.
 - Kristofer Orth of Design Alliance commented that the bidding market is strong right now, and there were over 60 different companies that took either hard or electronic copies of plans and specs. It was mentioned that there was only 0.6% difference between the #1 and #2 bidder, and only 18% difference between the #1 and #10 bidders. The close range of bids reflects a strong bidding environment.
 - Mr. Orth explained that the 3.2% increase in the project cost estimate may be a result of the delay in the construction of the building from July 2014 to present, and the initial cost estimates weren't through a detailed design process. Also, since that time, the building grew by 1% as it was determined that the salt storage building would need to grow by about 17%.
 - It was explained that with the bids coming in over budget a couple of options to reduce costs would be to not to do the salt storage building or the overhead crane in the equipment bay. Council agreed that the overhead crane is necessary for the services of the building. It was also mentioned that moving the salt storage building to Phase 2 might cause operational difficulties and the potential for higher construction costs in the future.
 - In the current low interest rate climate, the true interest costs are less than what were expected, so the city will be able to borrow additional dollars without increasing the annual payment.

Moved By: Neuendorf Seconded By: Waldstein

Resolution 15-03 awarding contract for the Public Services Center for Operations & Disaster Response-Building Package project to Peters Construction of Waterloo, Iowa for \$3,511,596.00 is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

3. Set the Public Hearing date to review Plans, Specifications, Form of Contract and Estimated Cost for the Dry Run Creek Improvements project for February 2, 2015 at 7:00 p.m. in the Ivan "Ike" Ackerman Council Chambers.
 - With the design and property acquisition being completed, staff is

working with the engineering group to refine the project before the public hearing.

Moved By: Waldstein Seconded By: Kangas

Set the Public Hearing date to review Plans, Specifications, Form of Contract and Estimated Cost for the Dry Run Creek Improvements project for February 2, 2015 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

4. Resolution 15-04 approving asbestos testing and abatement services with Cardno ATC of Waterloo, Iowa for the Dry Run Creek Improvements project.

- Staff provided a timeline for the testing of the eight homes allowing for the ninth home to be tested as it works for them. The abatement process has to be done by March 6.
- Staff explained that the direct contract to Cardno ATC without bid process is due to the relatively low costs of testing and a good working relationship with Cardno ATC, a primary service provider for FEMA buyout properties.

Moved By: Waldstein Seconded By: McKenzie

Resolution 15-04 approving asbestos testing and abatement services with Cardno ATC of Waterloo, Iowa for the Dry Run Creek Improvements project for \$6,900 is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

5. Set the Public Hearing date to review Plans, Specifications, Form of Contract and Estimated Cost for the 2nd Street NW Area Storm Sewer and Street Improvement project for February 2, 2015 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers.

- Before a road project can be done on 2nd Street NW, the storm sewers have to be improved. This work will occur in a narrow construction window when St. Paul’s school is on summer break.

Moved By: Kangas Seconded By: Reznicek

Set the Public Hearing date to review Plans, Specifications, Form of Contract and Estimated Cost for the 2nd Street NW Area Storm Sewer and Street Improvement project for February 2, 2015 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

6. Set the Public Hearing date to review the Waverly Dog Park- Fencing Project Plans, Specifications, Form of Contract and Estimated Cost for February 2, 2015 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers.

- This is set because of a state law requiring a public hearing on projects in the excess of \$50,000.
- The staff is planning to install over 2,600 lineal feet of 6-foot high galvanized chain-link fencing instead of the plastic PVC coating which would cost an additional \$25,000. There would also be a large and small dog area with 12 foot gates into each area and double gate system going to the parking lot.
- Staff explained that due to the project taking place on city property and with the City of Waverly being awarded the funding, the project has to be routed through the city rather than a community project.

- With all of the public hearings, staff explained how they package projects so they can have monthly lettings on the same day to hold four or five lettings. They look at projects that have a narrow summer construction window due to school breaks first, and the rest of the projects are spread out into spring and fall to stage over a 7 or 8 month time period.

Moved By: Neuendorf Seconded By: Gade

Set the Public Hearing date to review the Waverly Dog Park- Fencing Project Plans, Specifications, Form of Contract and Estimated Cost for February 2, 2015 at 7:00 p.m. in the Ivan “Ike” Ackerman Council Chambers is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

7. Resolution 15-05 accepting the public improvements for Stone Haven Plat IV-Phase 3.
- The staff reviewed the completion of the project of opening up 22 new building sites and noted a few minor fixes the developer has agreed to fix by June 2015:
 - Several expansion joints were missed and needed to be sealed.
 - Area of broken roadway concrete on the south end needs replacing.
 - The inside of the box culvert has areas in need of grout and patching.
 - Staff will be monitoring several precast box culvert sections for joint separation over the next few years. If additional repairs need to be made, they will be covered in the Maintenance Bond.

Moved By: Reznicek Seconded By: Neuendorf

Resolution 15-05 accepting the public improvements for Stone Haven Plat IV-Phase 3 is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

8. Resolution 15-06 creation of the Community Energy Advisory Team for the Community Energy Management Program.
- This is the official sanctioning of the Energy Advisory Team required to be a part of a pilot program with the State of Iowa Economic Development Authority for energy audits and control and reduction of city energy consumption. The team will also suggest an energy capital project to reduce future energy use at a city facility.
 - The team consists of Curt Atkins, Greg Theis, Anne Duncan, Sarah Meyer-Reyerson, Dan McKenzie, Brad Biermann, Jack Bachhuber, and Brian Sullivan.

Moved By: Reznicek Seconded By: Neuendorf

Resolution 15-06 creation of the Community Energy Advisory Team for the Community Energy Management Program is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

9. Resolution 15-07 approving the Contract, Bonds, and Insurance for the Outdoor Pool Renovation Project from Woodruff Construction.
- Woodruff Construction was the low bidder and is enthusiastic to start the project as soon as possible

Moved By: McKenzie Seconded By: Waldstein

Resolution 15-07 approving the Contract, Bonds, and Insurance for the Outdoor Pool Renovation Project from Woodruff Construction is hereby approved.

- Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)**
10. Resolution 15-08 approving Change Order #1 for Outdoor Pool project to deduct the allowance for the slide maintenance and to add the alternate for overhead lighting.

- The slides are still functional and will continue to be maintained by staff. They can be budgeted for repair in operations in the future.
- The lights are out-of-date for the standards of overhead outside lighting.

Moved By: Neuendorf Seconded By: Waldstein

Resolution 15-08 approving Change Order #1 for Outdoor Pool project to deduct the \$40,000 allowance for the slide maintenance and to add the alternate for overhead lighting in the amount of \$88,000 is hereby approved.

- Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)**
11. Resolution 15-09 vacation and conveyance of 3rd Avenue between 12th Street and the east line of 8th Street to Wartburg.

- This street was inadvertently omitted when the Council passed Resolution 14-110 on September 8, 2014, vacating other streets and alleys to Wartburg.

Moved By: Kangas Seconded By: Neuendorf

Resolution 15-09 vacation and conveyance of 3rd Avenue between 12th Street and the east line of 8th Street to Wartburg is hereby approved.

- Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)**
12. Mayoral Appointments.

Moved By: Waldstein Seconded By: Neuendorf

Mayoral appointment Richard Pursell as representative to the Bremer County E911 Service Board is hereby approved.

Yes: 6 No: 0 Absent: 0 Vacant: 1 (Ward 1)

L. Reports from Boards and Commissions

1. The W Monthly Revenue, November, 2014 (Received into record)
2. Golf Commission Minutes, December 9, 2014 (Received into record)
 - Council acknowledged the Commission's honoring of Dr. Bill Withers of Wartburg with their 2014 Volunteer of the Year award. He helped the club and golf course come together with a common mission statement.
3. Economic Development Commission Minutes, December 9, 2014 (Received into record)

M. Staff Comments

- Staff relayed that Shelley Wolf, Bremer County Auditor, reported that ballots are in for the special election on the January 13th.
- Due to the winter storm, crews will be out cleaning the roads at 2:00 a.m.
- City Administrator Phil Jones thanked Jack Bachhuber and the rest of the directors for their work in putting together this year's audit.
- Staff informed that the Dry Run Creek project is one of the largest projects being done by the city and as of mid-December was accepted by FEMA. Upon completion, it will lower the flood elevations by about 4 feet. Also, public may have received letters from the Army Corp of Engineers explaining the project.

N. City Council Comments

- Councilmember Gade inquired if the city is aware of the dip on 5th Street NW by Kwik Star and was informed it is around a manhole which will be fixed in the spring.
- Councilmember Waldstein expressed her gratitude to the staff and fellow council members for the excellent audit report.
- Councilmember Kangas reminded the public in Ward 1 to please vote to fill the vacant council seat on January 13th.
- Councilmember McKenzie complimented the staff for the valuable information in the year-end summaries and would like for them to be listed on the website. Staff acknowledged the summary will be added onto the site.
- Guest Councilmember Derrick Solheim expressed his appreciation for being a part of the council and for the work done by the staff and the time served by the council members.

O. Mayor's Comments

- Chris Deback of the Waverly Newspapers was introduced and welcomed by the council.

P. Adjournment

Moved By: Kangas

Seconded By: Neuendorf

To adjourn is hereby approved.

Yes: 6 No: 0

Absent: 0

Vacant: 1 (Ward 1)

Council adjourned at 8:45 P. M.