

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

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

- A. Mayor Infelt called the meeting to order .
- B. Mayor Infelt led in Pledge of Allegiance.
- C. Mayor Infelt delivered prayer.
- D. Moved by Kangas, seconded by Waldstein to approve the agenda as presented. Motion passed. Yes: 6 No: 0 Absent: 1
- E. Moved by Neuendorf, seconded by Waldstein to approval September 14, 2015 regular meeting minutes and September 21, 2015 regular meeting minutes as presented. Motion passed. Yes: 6 No: 0 Absent: 1
- F. Mayor and Council welcomed Dave Grawe as guest council member for the month of October.
- G. **Public Comments on Items Not on the Agenda**
  - Eric Vansickle, writer for the Waverly Newspapers, announced that the Waverly Newspapers will conduct a public forum with this year’s election candidates who are on the ballot for the Waverly City Council and Mayor called “Meeting of the Minds”. Editor Anelia Dimotrova will be moderating. All thoughts, questions and comments are welcome either at the forum or through email at [editorcft@gmail.com](mailto:editorcft@gmail.com) or [editor@waverlynewspapers.com](mailto:editor@waverlynewspapers.com).
  - Eisenach resident Mary French raised concerns for the lack of lights at the railroad crossing at 20<sup>th</sup> Street NW and also that there needs to be a guardrail installed on the bridge. She thanked council and staff for the timely completion of the box culvert also at 20<sup>th</sup> Street NW and the final topic she raised was the condition of 20<sup>th</sup> Street NW and how it has nothing but patches and needs to be patched again.
  - Staff and Council informed Duane Liddle the process for the special meeting held on October 2 was done according to the letter of the law. Mr. Liddle also inquired about the Jim Hundley/4<sup>th</sup> Street SW issue.
  - Jim and Candy Hundley, Council and Staff discussed the issue of the height of the curb constructed along the front of their property and solutions for all parties.
- H. **Consent Calendar**
  1. Pay Request from Boulder Contracting for West Bremer Avenue Sidewalk Extension for \$8,837.38.
  2. Pay Request from Woodruff Construction for the Outdoor Pool Renovation Project for \$3,000.
  3. Pay Request from Peterson Contractors, Inc. for the Dry Run Creek Improvements for \$452,879.79.
  4. Pay Request from Chosen Valley Testing, Inc. for the Construction Materials Testing for the Public Services Center for \$1,386.00.
  5. Class B Beer License for Deneui Holdings, Inc d/b/a The Complex.
    - Councilmember Gade noted that the Grand Opening for the Elite Takedown Club will be held Saturday, October 10. Speakers will be Dan Gable and Doug Schwab.
  6. Class C Liquor License and Class B Wine Permit for Self-Help International.

Moved by Neuendorf, seconded by Waldstein to approve the Consent Calendar as presented. Motion passed. Yes: 6 No: 0 Absent: 1

**I. Regular Business.**

1. Review of the Cedar Valley Engineering's report on the 3<sup>rd</sup> Street SE Bridge.
  - Butch Kehe presented his report to Council and is of the opinion the bridge could be re-opened with minor repairs to be completed in the spring of 2016. Staff will have Tim McDermott review Cedar Valley Engineering's report to explore why there are differences between the two reports. VJ Engineering will be present at the October 19 Council meeting to present their findings.
2. Moved by Neuendorf, seconded by Kangas to approve the first reading of Ordinance 1002 amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning from Agriculture (A-1) to Residential (R-1) for approximately 6.84 acres located on the east side of 12<sup>th</sup> Street NE, approximately 300 feet south of 1<sup>st</sup> Avenue NE and setting a public hearing for October 19, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place. Motion passed. Yes: 6 No: 0 Absent: 1
3. Moved by Waldstein, seconded by Neuendorf to approve Resolution 15-125 setting October 19, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing for Twin B, LLC's request for acquisition of an unused right of way parcel from the City without monetary consideration, but under a Development Agreement that would require a capital investment of \$1,000,000 on this and adjacent property. Motion Did Not Pass. Yes: 2 No: 4 (Reznicek, Lampe, Gade and Neuendorf) Absent: 1
  - Several members of the Council would like to see the developer exchange a monetary value for the property.
4. Moved by Neuendorf, seconded by Lampe to approve Resolution 15-126 approving an agreement with Central Iowa Water Association for providing and receiving emergency water supplies when needed. Motion Did Not Pass. Yes: 0 No: 6 Absent: 1
  - After Council and Staff discussion it was determined that the areas covered by the agreement may need to be split into smaller areas with common goals and objectives scrutinized further.
5. Moved by Waldstein, seconded by Neuendorf to approve Change Order No.1 for the West Bremer Avenue Sidewalk Extension project for the final adjust of quantities in the amount of a \$1,704.38 increase. Motion passed. Yes: 6 No: 0 Absent: 1
  - City is still waiting on Century Link to remove the telephone pole in the middle of the sidewalk. Sidewalk will be completed once this has been done.
6. Moved by Reznicek, seconded by Lampe to approve Resolution 15-127 accepting the West Bremer Avenue Sidewalk Extension project as complete and approving final pay estimate of \$4,662.82 to Boulder Contracting of Grundy Center, Iowa. Motion passed. Yes: 6 No: 0 Absent: 1
7. Moved by Waldstein, seconded by Kangas to approve Change Order No.1 for the Cedar River Parkway (West) Improvements project for the amount of a \$74,612.82 decrease and approve pay estimate No. 19 in the amount of \$3,816.71 as the sub-final payment to Peterson Contractors Inc. of Reinbeck, Iowa. Yes: 6 No: 0 Absent: 1

8. Moved by Neuendorf, seconded by Kangas to approve Change Order No.2 for the Cedar River Parkway (West) Improvements project for the final adjust of quantities in the amount of a \$59,637.20 decrease. Motion passed.  
Yes: 6 No: 0 Absent: 1
9. Moved by Kangas, seconded by Waldstein to approve Resolution 15-128 accepting the Cedar River Parkway (West) Improvements project as complete and approving final pay estimate of \$174,603.76 to Peterson Contractors Inc. of Reinbeck, Iowa. Motion passed.  
Yes: 6 No: 0 Absent: 1
10. Moved by Neuendorf, seconded by Gade to approve Resolution 15-129 approving contract for services with Iowa Northland Regional Council of Governments for the Comprehensive Solid Waste Management Plan (7<sup>th</sup> Revision) in the amount of \$1,700. Motion passed. Yes: 6 No: 0 Absent: 1
11. Motion by Waldstein, seconded by Neuendorf to approve Resolution 15-130 approving the Iowa DOT Federal-Aid Agreement for the reconstruction of 16<sup>th</sup> Street SW Reconstruction 2016 providing for 80% federal participation in eligible expenses up to \$200,000 maximum. Motion passed. Yes: 6 No: 0 Absent: 1
12. Motion by Kangas, seconded by Neuendorf to approve Resolution 15-131 approving a Contract between Brimeyer Fursman, LLC and the City of Waverly for the Recruitment Search for a New City Administrator for the amount of \$14,200 for executive search fee and not-to-exceed \$4,745 for reimbursable expenses. Motion approved. Yes: 6 No: 0 Absent: 1
13. Moved by Neuendorf, seconded by Lampe to approved Resolution 15-132 approving a Candidate Profile provided by Brimeyer Fursman, LLC for a New City Administrator. Motion passed. Yes: 6 No: 0 Absent: 1

**J. Reports from Boards and Commissions**

1. Goose Harvest, 2015; Received into record.
2. The W Monthly Revenue, August, 2015; Received into record.
3. Historic Preservation Commission Minutes, August 27, 2015; Received into record.
  - It was decided to write the letter in support of opening the Green Bridge rather than replacing it.
4. Planning and Zoning Commission Minutes, September 3, 2015; Received into record.
5. Board of Adjustment Minutes, September 14, 2015; Received into record.
6. Economic Development Commission Minutes, September 15, 2015; Received into record.
7. Bremer-Waverly Law Board Minutes, September 17, 2015; Received into record.

**K. Staff Comments**

- Staff is working with the company that installed the lighting for the amphitheater with a goal of getting similar lighting for the dam. Staff is also working volunteer efforts for maintenance and snow removal on sidewalks. The City received a Grant for Urban Forestry.

**L. City Council Comments**

- There were none.

**M. Mayor's Comments**

- Mayor commented on what a great homecoming weekend Wartburg College had.

**N. Communication**

1. Thank-you from Cedar Valley Friends of the Family for use of the Rail Trail Bridge and the Civic Center.

**O. Adjournment**

Moved by Kangas, seconded by Neuendorf to adjourn. Motion passed and Council meeting adjourned at 9:47 P.M. Yes: 6 No: 0 Absent: 1

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Charles D. Infelt, Mayor

ATTEST:

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Carla Guyer, City Clerk