

Regular Meeting Minutes – October 19, 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on October 19, 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. Mayor Infelt called the meeting to order.
- B. Moved by Waldstein, seconded by Neuendorf to approve agenda as presented. Motion passed. Yes: 7 No: 0 Absent: 0
- C. Moved by McKenzie, seconded by Lampe to approve September 28, 2015 study session meeting minutes, October 2, 2015 special meeting minutes, and October 5, 2015 regular meeting minutes as presented. Motion passed. Yes: 7 No: 0 Absent: 0
- D. Motion by Reznicek, seconded by Lampe to proclaim November 13, 2015 as “Pancreatic Cancer Awareness Day”. Motion passed. Yes: 7 No: 0 Absent: 0
- E. Public Hearings
 1. This was the date, time and place for a Public Hearing on 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 12th Street NE, approximately 300 feet south of 1st Avenue NE.
 - There were no written or verbal public comments.

The Hearing was then closed.

Moved by Reznicek, seconded by Neuendorf to approve the second 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 12th Street NE, approximately 300 feet south of 1st Avenue NE. Motion passed. Yes: 7 No: 0 Absent: 0
- F. Public Comments on Items Not on the Agenda
 - Staff informed Duane Liddle that the sanitary sewer lines within the Dry Run Improvements project were insulated and are not anticipated to freeze with the exception of an extreme winter like was experienced 2 years ago. Staff also informed Mr. Liddle that the City did receive the reimbursement payment from Gentlemen of the Road (G.O.T.R.).
 - Travis Toliver spoke and encouraged citizens to vote on November 3 election day.
 - Staff informed the owner of the redemption center, Jennifer Potratz that planning for further 4th Street SW improvements will include considerations for business and residential entrances/exits.
- G. Consent Calendar
 1. Pay request from Design Alliance for the Public Services Center for Operations and Disaster Response for \$4,250.28.
 2. Pay request from Peters Construction Corporation for the Public Services Center for Operations and Disaster Response for \$484,129.50.
 3. Pay request from WHKS & Co. for the Dry Run Creek Improvements- Phase 2 for \$5,803.97.
 4. Pay request from Stanley Consultants Inc. for the Cedar River Parkway (West) 2013 for \$10,547.50.
 5. Pay request from Feldman Concrete for the Citywide Concrete Sidewalk Repairs- 2015 for \$42,589.78.

6. Pay request from Skyline Construction for the AmVets Area Riverbank Restoration- 2015 for \$58,255.40.
 7. Pay request from Waters Edge Aquatic Design, LLC for the Outdoor Pool Renovation Project for \$9,070.00.
 8. Pay request from Svendsen Tyler, Inc. for the Historic Preservation SW Neighborhood Survey Contract-10/21/2013- Sixth Statement for \$6,415.00.
 9. Special Class C Liquor License for Wartburg College.
 10. Class C Liquor License for Beach Taverns, LLC d.b.a. Blake's Bar and Grill.
 11. Class C Beer Permit for Casey's General Store #1649.
 12. Class B Native Wine Permit for RYKA Incorporated d.b.a. Meyer Pharmacy.
 13. Approval of September, 2015 Cash Disbursements.
- Moved by Neuendorf, seconded by Waldstein to approve items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of the consent calendar. Motion passed.
Yes: 7 No: 0 Absent: 0

Moved by McKenzie, seconded by Neuendorf to approve item 3 of the consent calendar. Motion passed. Yes: 6 No: 0 Absent: 1
(Council member Gade exited room briefly and returned after vote was completed.)

- Duane Liddle requested that item 3 be voted on separately in order to discuss plans for addressing the difference in grade at the Hundley property. Staff also informed Mr. Liddle that they are working with the Hundley's to resolve the issue of grading and landscaping.

H. Regular Business.

1. Graduation Presentation from the Iowa Law Enforcement Academy 5-Star Innovation Leadership Program.
 - Council recognized Chief of Police Richard Pursell for his achievement in receiving a 5-Star Leadership Award for ranking 1 of 11 in a total class size of 235. The 5-Star Innovation Leadership programs at the Iowa Law Enforcement Academy included five program areas: Building Vision & Strategy, Organizational Alignment and Execution, Honor History through Transformational Change and Innovation, Talent Acquisition & Development, and Values and Culture – Anchors for the Other Four.
2. Moved by Waldstein, seconded by McKenzie to approve Resolution 15-133 approving Final Plat, Construction Documents, Restrictive Covenants and Letter of Intent for Highpoint Second Addition for fifteen residential lots on 2nd Avenue NE. Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Duane Liddle that there are still plans for duplexes on 2nd Avenue NE near the water tower as well as plans for green space in the area around the water tower to meet park dedication guidelines.
3. Moved by Neuendorf, seconded by Lampe to approve Resolution 15-134 approving Special Provisional Uses for Indoor Recreational Fitness Club, Wrestling Camp Boarding House and Not Requiring Off-Street Parking Spaces as required be established for these and any permitted Multiple Family Residential-Transitional District (R-4) uses at 350 1st Avenue NW. Motion passed.
Yes: 7 No: 0 Absent: 0
 - Staff explained that the special provisional use request would be for uses described only and two floors will remain available for any R-4 use.
 - Barb Benson told Council that several improvements have been made to the building such as a new roof and hardwood floors in the old library.

Ms. Benson also explained that moving the entrance to the south has been a huge benefit for parking. There are six rooms on the first floor that can be rented.

- Planning and Zoning Chair Hank Bagelmann informed Council that variances stay with the owner of the property and not the property.
4. Moved by Waldstein, seconded by Neuendorf to approve Change Order No. 1 to the construction contract with Peters Construction for the Public Services Center for Operations & Disaster Response in the amount of a \$2,990.93 decrease. Motion passed. Yes: 7 No: 0 Absent: 0
 5. Moved by Neuendorf, seconded by Kangas to approve Change Order No. 1 to the furniture contract with Office Concepts, Ltd. for the Public Services Center for Operations & Disaster Response in the amount of a \$5,052.28 decrease. Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council that furniture such as a desk width changed from 60 inches to 66 inches and number of drawers in a locking filing cabinet changed from 3 to 4 (without a locking drawer) and Office Concepts, Ltd. could offer these items for a lower price.
 6. Moved by McKenzie, seconded by Neuendorf to approve Resolution 15-135 approving Amendment No. 2 to Design Alliance's Professional Services Agreement for the Public Services Center for Operations & Disaster Response in the amount of a \$7,500 increase to the maximum-allowed fee for a not-to-exceed amount of \$288,500 plus applicable reimbursable expenses. Motion passed. Yes: 5 No: 2 (Reznicek, Gade) Absent: 0
 - Staff explained to Council that the increase was for preparation of specifications for the furniture.
 7. Moved by Waldstein, seconded by Neuendorf to approve Invoice #204182 from Design Alliance for professional services rendered for the period to August 31, 2015 for the Public Services Center for Operations & Disaster Response in the amount of a \$5,086.30. Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council that it is normal to have regular monthly statements from the engineer on large projects for eighteen months or two years.
 8. Moved by Waldstein, seconded by McKenzie to approve Invoice #204199 from Design Alliance for professional services rendered for the period to September 30, 2015 for the Public Services Center for Operations & Disaster Response in the amount of a \$2,226.00. Motion passed. Yes: 7 No: 0 Absent: 0
 9. Discussion and Decision on the 3rd Street SE Bridge.
 - Discussion on the 3rd Street SE Bridge took place with no vote taking place on a decision. Staff explained to Council that the Iowa Department of Transportation only allows a certified bridge engineer to inspect bridges. Since WHKS has been the engineer of record for the past several years they are considered the program manager for the 3rd Street SE Bridge. As far as the I.D.O.T. is concerned WHKS is the only one who can close/re-open the bridge. VJ Engineering was hired only to offer a second opinion on the condition of the bridge. Butch Kehe of Cedar Valley Engineering also offered an opinion on the bridge and his opinion is valued, however he/his company are not bridge inspection certified. If bridge were to be re-opened the I.D.O.T. would re-close it until all

deficiencies have been rectified according to I.D.O.T. bridge standards. WHKS will attend the November 2 meeting to re-visit their report and answer questions.

10. Moved by McKenzie, seconded by Neuendorf to approve Resolution 15-136 approving contract with Bill Burkle to reappraise property for the Waverly Municipal Airport Safety Zone Project for approximately \$4,000.
Motion passed. Yes: 7 No: 0 Absent: 0
11. Moved by Neuendorf, seconded by Waldstein to approve Resolution 15-137 approving contract with A & R Services, Inc. for assistance with relocation services in acquiring property for the Waverly Municipal Airport Safety Zone Project. Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council they would like to proceed with someone who has experience with relocating.
12. Moved by Gade, seconded by Neuendorf to approve First Reading of Ordinance 1003 replacing Ordinance #772 by approving parking permit fees and process for replacement and transferring ownership of permits for the Big 6 parking.
Motion passed. Yes: 7 No: 0 Absent: 0
13. Discussion of Strategic Planning
 - Councilman Reznicek stated he felt there would be benefits in waiting until after elections to have this conversation.
14. Discussion of the need for a guardrail on the road at 20th Street NW.
 - Council and Staff reviewed area pictures of this area showing the road before the box culvert was installed and after it was installed. Mr. Cherry said that the culvert installed in much longer and wider than the previous road construction making the changes more prevalent. There was a consensus that the intersection with the road that leads to the sale barn would be made wider even though this is not a budgeted project.
 - Mary French thanked Council for their consideration.

I. Reports from Boards and Commissions

1. Airport Commission Minutes, September 10, 2015, Rec'd into record.
2. Planning and Zoning Commission Minutes, October 1, 2015, Rec'd into record.
3. Golf Commission Minutes, October 6, 2015, Rec'd into record.

J. Staff Comments

- There were none.

K. City Council Comments

- Councilmember McKenzie noted that Ward 2 polling place has changed to the Civic Center at City Hall due to the construction taking place at Waverly Utilities and he reminded the community that Bremer County was under a burning ban.
- Councilmember Kangas voiced concerns for commission vacancies.
- Staff informed Councilmember Waldstein that the Rolling Hills Subdivision does have a greenbelt and green space with additional green space on the west. The broadband schedule is posted in the Waverly Newspaper regularly.

L. Mayor's Comments

- There were none.

M. Communication

1. Sustainable Urban Forestry Training and Assistance Program
2. Thank-you from the Exchange Club

N. Adjournment

Moved by Kangas, seconded by Neuendorf to adjourn. Motion passed and Council meeting adjourned at 9:22 P.M. Yes: 7 No: 0 Absent: 0

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk