

Regular Meeting Minutes – December 21, 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on December 21, 2015 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Reznicek, McKenzie, Gade, Neuendorf, and Kangas. Absent: Waldstein and Lampe

- A. Mayor Infelt called the meeting to order.
- B. Moved by Neuendorf, seconded by McKenzie to approve the agenda as presented.
Motion passed. Yes: 5 No: 0 Absent: 2
- C. Moved by Neuendorf, seconded by Gade to approve December 7, 2015 regular meeting minutes and December 9, 2015 work session minutes. Motion passed.
Yes: 5 No: 0 Absent: 2
- D. Public Hearings

- 1. This was the date, time and place for a Public Hearing for proposing a Development Agreement between Twin B, LLC and the City of Waverly for the sale of right of way.
 - There were no written or verbal public comments.

The hearing was then closed.

Moved by Neuendorf, seconded Kangas by to approve Resolution 15-151 approving a Development Agreement with Twin B, LLC for the sale of an unused right of way parcel from the City. Motion passed.

Yes: 4 No: 1 (Gade) Absent: 2

- Council and staff discussed aspects of both parcels being a part of the Development Agreement. It is required by the agreement that each parcel have \$1M worth of improvements completed within three (3) years. City Attorney Bill Werger expressed that he felt this was a good fair market valuation, of \$60,000, due to access options. The City originally purchased the real estate for \$130,000 and less than half was utilized by the City. Eric Johnson, attorney for the developer, stated that the agreement does include a reverter clause.

- E. Public Comments on Items Not on the Agenda
 - Staff informed Duane Liddle that there remains approximately \$8,000 of uncollected pledges for the amphitheater and the reimbursement to the State was due to the project bids coming in low.

- F. Consent Calendar
 - 1. Pay request from Design Alliance for the Waverly Public Services for Operations and Disaster Response for \$2,872.00.
 - 2. Pay request from Chosen Valley Testing, Inc. for the Construction Materials Testing for the Public Service Center for \$1,800.00.
 - 3. Class E Liquor License for Hy-Vee, Inc.
 - 4. Class C Liquor License for The Dirty Dog American Bar and Grill.
 - 5. Approval of November, 2015 Cash Disbursements.Moved by Neuendorf, seconded by McKenzie to approve the Consent Calendar. Motion passed.
Yes: 5 No: 0 Absent: 2

G. Regular Business.

1. Legislature update from State Representative Sandy Salmon.
 - State Representative Sandy Salmon updated Council on issues that will be looked at during legislative session.
2. Review of Waverly Light and Power Amended 2015 Budget and 2016 Approved Budget.
 - Director of Finance for Waverly Utilities, Vicki Hall, presented the Waverly Light and Power, d/b/a Waverly Utilities 2015 Adopted Amended Budget and the Waverly Municipal Electric Utility, d/b/a Waverly Utilities, 2016 Approved Budget. Ms. Hall stated that two projects of 2014 extended into the 2015 fiscal year and there were no change in the operating margins. There has been an 8% increase in purchase power costs (market prices have been turbulent and increased significantly), a general increase of approximately 3% in expenses, deferred operations margins, carried over from 2014. They will continue the fiber project. Other projects Waverly Utilities is looking at include: remote metering, SMART Gridding to work with homeowners on monitoring their own usage, distribution improvements, and a third transmission line. Fund balances have decreased significantly. Expenses are exceeding revenues.
3. Review of Waverly Communications Utility d/b/a Waverly Utilities Budget.
 - Director of Finance for Waverly Utilities, Vicki Hall, presented the Waverly Utilities, Waverly Communications Utility 2016 Adopted Budget. It is planned to go live around July, 2016 with the 1st test customer around April 4, 2016.
 - Waverly Utilities General Manager Darrel Wenzel invited Doug Mraz to come to Waverly Utilities and visit with him regarding average rates as they relate to billing, comparable rates, and rate structure.
4. Moved by McKenzie, seconded by Gade for Re-appointment of Fire Chief for 2016. Motion passed. Yes: 5 No: 0 Absent: 2
 - Mayor Infelt administered the oath of office to Fire Chief Happel.
5. Moved by Neuendorf, seconded by McKenzie to approve Resolution 15-146 approving the By-Laws of the Waverly Volunteer Fire Department. Motion passed. Yes: 4 No: 0 Absent: 3 (Kangas left room @ 8:36 p.m. and returned at 8:38 p.m. therefore was not present to vote.)
6. Moved by Reznicek, seconded by Neuendorf to approve Resolution 15-150 authorizing Mayor, City Administrator, Finance Director, and City Clerk to execute certain financial institution documents. Motion passed. Yes: 5 No: 0 Absent: 2
7. Moved by Neuendorf, seconded by Gade to approve Resolution 15-152 approving the proposed 28E Agreement with Central Iowa Water Association for providing and receiving emergency water supplies when needed. Motion passed. Yes: 5 No: 0 Absent: 2
 - This would be within Zone 3 of the Fringe Area Agreement and would have a low likelihood of any expansion. This is primarily for the benefit of Central Iowa Water Association and only requires a 3 inch pipe since they would only have a single crossing of the Cedar River. Rate of pay from Central Iowa Water Association would be based on the given rate. The City of Waverly has a good amount of redundancy built in to their system.

8. Moved by Gade, seconded by Neuendorf to approve the First Reading of Ordinance 1008, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning of property from Multiple Family Residential District (R-4) to Commercial District (C-3) located at 350 1st Avenue NW and set January 4, 2016 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing. Motion passed.
Yes: 5 No: 0 Absent: 2
 - This request would help provide for expanded commercial opportunities allowed in a C-3 (Central Business District). The zoning reclassification is sought to better repurpose the available space in the former school building. Parking accommodations on Fourth Street NW may have to be looked at further.
 9. Moved by Neuendorf, seconded by Gade to approve the Second Reading of Ordinance 1006, an Ordinance proposing an amendment to section 104.4.11, Throwing and Shooting, of the Waverly Municipal Code of Ordinances to include additional recommended safety language and to waive the 3rd and final reading. Motion passed. Yes: 5 No: 0 Absent: 2
 10. Moved by Neuendorf, seconded by Kangas to approve the Second Reading of Ordinance 1007, an Ordinance Amending Chapter 100 of the Waverly Municipal Code providing for Fuel Storage Tank Setbacks of 75 feet in Light Industrial (M-1) District and Heavy Industrial (M-2) District. Motion passed.
Yes: 5 No: 0 Absent: 2
 11. Moved by Neuendorf, seconded by McKenzie to approve Third and Final Reading of Ordinance 1005, an Ordinance Amending Chapter 100 of the Waverly Municipal Code providing for One-Family Attached Housing in One and Two Family Residential (R-2) Zoning District. Motion passed.
Yes: 5 No: 0 Absent: 2
 12. Moved by Neuendorf, seconded by Gade to approve Mayoral Appointments of Randy Neuendorf and Joel Johnson to Leisure Services Commission and Jordan Shanks to the Library Board of Trustees. Motion passed.
Yes: 5 No: 0 Absent: 2
- H. Reports from Boards and Commissions
1. Monthly Financial Report; November, 2015; Rec'd into record.
 2. Bremer-Waverly Law Board Minutes; November 9, 2015; Rec'd into record.
 3. Airport Commission Minutes; November 12, 2015; Rec'd into record.
 4. Planning and Zoning Commission Minutes; December 3, 2015; Rec'd into record.
 5. Bremer-Waverly Law Board Minutes; December 14, 2015; Rec'd into record.
- I. Staff Comments
- Police Chief Richard Pursell stated that you now need to register drones at a cost of \$5 for ages 13 and older and if the drones are over one-half pound they will need to be registered with the FAA.
 - City Engineer Mike Cherry reviewed holiday garbage pick-up schedule with the recycling center open on Saturday, December 26 from 8:00 a.m. to 4:00 p.m.
 - Leisure Services Director Tab Ray announced that the Golf Pro Shop would be open from 2:00 p.m. to 6:00 p.m. through Wednesday, December 23 with huge sales on the merchandise.

J. City Council Comments

- Staff informed Councilmember McKenzie that the transition to the new Public Services Center for Operations & Disaster Response has been smooth and staff is still settling in. Mr. McKenzie also thanked Chris Neuendorf for his service and professionalism while on Council.
- Councilmember Reznicek thanked Chris Neuendorf for his service and wished him well.
- Councilmember Kangas also thanked Chris Neuendorf for his service on Council and also encouraged the public to shop at the Pro Shop and at the downtown stores in preparation for the holidays.
- Councilmember Neuendorf commented on how being on Council was a positive experience, he learned a lot, and that the City has great, experienced staff. Mr. Neuendorf said he has enjoyed working with all of the Council members past and present.
- Councilmember Gade congratulated Chris Neuendorf.
- Guest Councilmember Mike Sherer shared that he enjoyed being guest council.

K. Mayor's Comments

- Waverly can be very proud of the candidate city administrator selection process and the final choice of James Bronner.

M. Adjournment

Moved by Neuendorf, seconded by Kangas to adjourn. Motion passed and Council meeting adjourned at 9:16 P.M. Motion passed. Yes: 5 No: 0 Absent: 2

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk