

Regular Meeting Minutes – March 21, 2016
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on March 21, 2016 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members present were: Reznicek, Waldstein, Lampe, McKenzie, Gade, Kangas and Sherer. Absent: None

- A. Mayor Infelt called the meeting to order.
- B. Moved by Kangas, seconded by Lampe to approve the agenda as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- C. Moved by McKenzie, seconded Sherer to approve the March 7, 2016 regular meeting minutes.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Council welcomed Randy Suits as the guest council person for March.
- D. Public Comments on Items Not on the Agenda.
 - Jordan Shanks reviewed the mission of the Waverly Public Library and the growth that the library has seen since the new library has been built.
 - City Administrator James Bronner will meet with owner of Dale’s Service, Troy Carolus to discuss parking issues within the city right-of-way (between curb and sidewalk).
- E. Consent Calendar
 1. Pay request from Design Alliance for the Waverly Public Services for Operations and Disaster Response for \$562.50.
 2. Class E Liquor License renewal for Liquor & Tobacco Outlet.
 3. Class B Native Wine Permit renewal for Wild Carrot.
 4. Class C Liquor License renewal for Kwik Star #707.
 5. Class C Liquor License renewal for El Sol Mexican Restaurant.
 6. Class C Liquor License renewal for Waverly Golf & Country Club.
 7. Approval of February, 2016 Cash DisbursementsMoved by Sherer, seconded by Waldstein to approve the Consent Calendar.
Motion passed. Yes: 7 No: 0 Absent: 0
- F. Regular Business.
 1. Moved by McKenzie, seconded by Waldstein to approve Waverly’s Oktoberfest, an outdoor celebration in Kohlmann Park, and approve 1st Street NW Closure from Bremer Avenue through 5th Avenue NW on September 22, 2016 starting at 8:00 am until September 25, 2016 at 4:00 pm.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Chris Neuendorf and Emily Neuendorf reviewed the timeline of the closure and explained that St. Paul’s School and Nestles’ have been communicated with and they have no problems with this.
 - Council member Sherer asked that the committee also speak with Sally Schneider at St. Paul’s Church and Council also asked the committee to communicate with neighbors.

2. Moved by Reznicek, seconded by Waldstein to approve the purchase of a WEMCO 4x4 Model C pump from Leigh Environmental Equipment, Inc. of Omaha, Nebraska for the Main Lift Station for the quoted price of \$17,030.00 plus shipping.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council that the current one was installed in 1980 and is leaking fluid. Staff will report back to Council the cost to re-build the current pump in order to use it for a back-up if needed in the future.
3. Moved by Reznicek, seconded by Lampe to approve Resolution 16-16 approving Change Order No. 1 of \$7,500.00, Change Order No. 2 of \$1,376.25, and Pay App No. 1 of \$66,809.94 for the Golf Course Pond Project.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council that this change order is an adjustment of quantities for additional clay.
4. Moved by Sherer, seconded by Waldstein to approve Resolution 16-17 awarding contract for the Citywide Pedestrian Ramp Construction 2016 project to Feldman Concrete of Dyersville, Iowa for the bid amount of \$69,240.00.
Motion passed. Yes: 7 No: 0 Absent: 0
5. Moved by Waldstein, seconded by Kangas to approve Resolution 16-18 awarding contract for the 2016 Bituminous Seal Coat Program to Blacktop Services of Humboldt, Iowa for the bid amount of \$131,037.50.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Staff informed Council that the pedestrian ramp construction program began in 2011 and at that time it was decided that one year after ped ramp construction takes place the roads that were effected would be seal coated due to the harsh effects that the ped ramp construction has on the seal coating and asphalt.
6. Moved by Kangas, seconded by Sherer to approve Resolution 16-19 approving a renewable Service Agreement with Cedar Valley Recycling & Transfer of Waterloo, Iowa for the disposal of commingled recyclables at \$12.00 per ton.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Council and staff discussed the difference between the amounts of bids. City Engineer Mike Cherry explained that the difference is caused from location for transportation and low oil prices. One company functions by sorting commingled materials and sells to a wholesaler. One company functions as the wholesaler and has direct contacts.
7. Moved by Waldstein, seconded by Sherer to approve Resolution 16-20 approving the Professional Services Agreement with Stanley Consultants of Des Moines, Iowa for preparation of a TIGER Grant Application for the Cedar River Parkway East Extension project for not-to-exceed fee of \$10,000.
Motion passed. Yes: 7 No: 0 Absent: 0
 - City Engineer Mike Cherry reviewed the grant application process and the chances of receiving the grant with close to \$11 Billion vying for \$500 Million. Mr. Cherry also covered a few of the details that will be considered while planning for this project such as the structure will be built with an elevation for a 500 years flood. 60% of the cost is incurred within the first 1,000 feet.

8. Moved by Sherer, seconded by McKenzie to approve the First Reading of Ordinance 1013 replacing Chapter 59 of the Waverly Municipal Code. Moved by Kangas, seconded by McKenzie to table the First Reading of Ordinance 1013 replacing Chapter 59 of the Waverly Municipal Code until the April 4 Council meeting.
- Motion passed. Yes: 7 No: 0 Absent: 0
- Council and staff discussion took place on Mediacom's franchise agreement charging a 3% franchise fee is no longer in effect and franchise fees are now regulated by the Iowa State Code and municipal code of ordinances. Iowa State Code dictates that municipalities cannot charge more than 5% for franchise fees. The franchise fees are a user fee. Council also asked about a cost share with Wartburg College. Many other cities within the State of Iowa charge a 5% franchise fee. 5% franchise fees would help fund updating the equipment and allow for continued coverage. The City currently splits the amount received for franchise fees with 50% going to cable franchise fees account and 50% going to general fund. There are other cities that direct a split of funds as well. The service is a value to the citizens of Waverly. The team is working on ways the WSR schools could benefit from this service. Wartburg staff could possibly provide production for viewing of high school sports and other activities. This ordinance would need to be adopted to allow Waverly Utilities time to program for billing to begin in July of this year.
 - Pete Lampe noted we can stream council meetings on the internet by being produced and done by Wartburg College and the equipment has been paid for with franchise fees.
 - Eric VanSickle commented that while living in Cedar Falls their household uses Cedar Falls Utilities and has for upwards of 20 years and Mediacom still exists and doesn't feel they will leave the City.
9. Moved by McKenzie, seconded by Sherer to approve the Third and Final Reading of Ordinance 1010, an Ordinance Amending the Water Rates, Charges, and Minimum Rate for Fiscal Years 2016-17, 2017-18, and 2018-19. Moved by Lampe, seconded by Reznicek to amend Ordinance 1010 to read as follows: "Third and Final Reading of Ordinance 1010, an Ordinance Amending the Water Rates, Charges, and Minimum Rate for Fiscal Years 2016-17".
- Motion passed. Yes: 4 No: 3 (Waldstein, McKenzie, Sherer) Absent: 0
- The original motion was then voted on. Motion did not pass.
- Yes: 3 (Waldstein, McKenzie, Sherer) No: 4 Absent: 0
- Council and Staff talked about the pros and cons of doing a three year ordinance vs. a one year ordinance. The proposed three year ordinance would allow businesses and residents opportunity to forecast for expenditures while preparing budgets. The proposed amended 1 year ordinance would allow for flexibility to raise or lower the rates each year. Reserve funds need to be sustained in order to achieve certain bonding levels and looking at ways to reduce costs. A situation of not keeping up on maintenance and getting into maintenance issues due to the lack of funding should be avoided. Spikes and lows in rates are difficult to manage and plan for. Examples of other areas within the State of Iowa

were also compared. The justification of the rate increases without knowing the future was also mentioned. Councilmember Kangas wanted to go on record that he would probably be ok with 2½% next year.

10. Moved by Lampe, seconded by Kangas to approve the Third and Final Reading of Ordinance 1011, an Ordinance Amending the Sewer Rates, Charges, and Minimum Rate for Fiscal Years 2016-17.
Motion passed. Yes: 4 No: 3 (Renicek, Lampe, Gade) Absent: 0
11. Moved by Kangas, seconded by Sherer to approve Third and Final Reading of Ordinance 1012, an Ordinance Amending the Solid Waste Rates, Charges, and Base Rate for Fiscal Years 2016-17.
Motion passed. Yes: 5 No: 2 (Renicek, Gade) Absent: 0

G. Reports from Boards and Commissions

1. The W Monthly Report, January, 2016, Received into record.
2. Monthly Financials, February, 2016, Received into record.
3. Bremer-Waverly Law Board Minutes, February 8, 2016, Received into record.
4. Airport Commission Minutes, February 11, 2016, Received into record.

H. Staff Comments

- City Engineer Mike Cherry reviewed the issue of a collapsed roof of a wood box culvert at the bridge located on 5th Avenue NE. This was caused by an end-loader while crew was placing object markers. This is a 40 foot long bridge. There is an 8 to 9 foot drop off. With one-half of the box culvert being wooden and one-half of it being concrete, due to traffic counts the bridge could be made into a one lane 12 foot wide with barrier rails at the sides for safety. Council discussed options of complete road closure including removal of existing culvert, adding a concrete barrier and signing it as a one lane, or brand new concrete structure for upwards of \$150,000. Different types of culverts including multiple culverts were also discussed. The Comprehensive Land Use Plan shows this area as residential. This portion of the roadway was annexed into the City in 1977.
- City Engineer Mike Cherry commented that the closing of Bremer Avenue for the Dry Run Creek Improvement Project is being delayed due to fiber work being done by a utility.

I. City Council Comments

- Councilmember Kangas asked staff about the barriers located at 3rd Avenue NW. Staff said they would take a look at it. Yard Waste Site is now open.
- Councilmember Sherer recognized the Wartburg Women's Basketball Team for achieving a spot in the Final 4 in the tournament.
- Councilmember McKenzie asked about the progress of planning the Bremer Avenue Reconstruction. City Engineer Mike Cherry responded that there are portions of the project that the City will be legally responsible for such as the parking light poles and the replacement of a 4 inch water main that possibly dates back to pre-World War II. This water main does not provide adequate fire protection for the west part of downtown. This is a 28 block project and could take 2 construction years to complete. Agreements are still in process.

J. Mayor's Comments

- There were none.

K. Communications

- Golf Course newsletter.

L. Moved by Kangas, seconded by Lampe to adjourn. Motion passed and Council meeting adjourned at 10:12 P.M. Yes: 7 No: 0 Absent: 0

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk