

Regular Meeting Minutes – October 24, 2016  
Ivan “Ike” Ackerman Council Chambers

A Regular and Study Session Meeting of the Waverly City Council was held on October 24, 2016 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members present were: Waldstein, Lampe, McKenzie, Sherer, and Kangas. Absent: Reznicek and Gade

- A. Mayor Infelt called the meeting to order.
- B. Moved by Kangas, seconded by Lampe to approve the agenda as presented.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- C. Moved by Waldstein, seconded by McKenzie to approve the September 26, 2016 Study Session Minutes and the October 3, 2016 Regular Meeting Minutes.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
  - Council noticed that the agenda count for the approval of the September 26, 2016 Study Session was incorrect, but approved the minutes with the understanding that the count would be corrected.
- D. Public Comments on Items Not on the Agenda.
  - Guest Councilmember Ann Rathe encouraged the public to support the 1% sales tax on the November 8<sup>th</sup> ballot. It is a renewal not a new tax and it is essential to the City as it goes to trail and road fundings.
- E. Consent Calendar
  1. Pay Request from McClure Engineering Co. for the Airport Runway Rehabilitation 2014 for \$3,085.00.
  2. Pay Request from Peterson Contractors, Inc. for the Dry Run Creek Improvements 2014 and 5<sup>th</sup> Avenue NE Culvert for \$137,108.83.
  3. Pay Request from VJ Engineering for the Cedar Lane Reconstruction 2017 for \$797.50.
  4. Pay Request from Feldman Concrete for the Citywide Concrete Sidewalk Repairs 2016 for \$18,141.76.
  5. Pay Request from Kenny Bloker Masonry for the 4<sup>th</sup> Street SW Sidewalk Construction 2016 for \$21,935.69.
  6. Class C Beer permit renewal for Casey’s General Store #1649.
  7. Class C Liquor License renewal for Beach Taverns, LLC d.b.a The Beach House.
  8. Approval of September, 2016 Cash Disbursements.  
Moved by Sherer, seconded by McKenzie to approve the Consent Calendar.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- F. Regular Business.
  1. Moved by McKenzie, seconded by Kangas to set the Public Hearing date to review the proposed project of building a new addition onto the Waverly Health Center and to authorize the application for funding from the USDA Rural

Development for November 7, 2016 at 7:00 p.m. in the Council Chambers of City Hall.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- The hospital is planning a rather sizeable expansion for approximately \$36 million, and since the City owns the hospital, they need the City's blessing of the applications for them to get the financing for it. It will not incumber the City's finances and won't impact the City as it will be paid for by the hospital. A full discussion will take place on November 7<sup>th</sup>.

2. Moved by McKenzie, seconded by Sherer to approve Payment of City Revenue Contingent Obligation of \$600,000 as the final payment as specified in the Wellness Center Development and Use Agreement between the City of Waverly and Wartburg College.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- This is the 8<sup>th</sup> and final payment of \$600,000 from the City of Waverly to Wartburg. The City has been approving the payments annually for transparency to the public as to where the \$600,000 is going to and in case that the Wellness Center's revenue would have been greater, the City's payment would have been less than \$600,000.

3. Moved by Sherer, seconded by Waldstein to approve Resolution 16-83 accepting the 16th Street SW Reconstruction 2016 project as complete and approving Pay Estimate No. 3 in the amount of \$8,735.04 as the final payment to Heartland Asphalt of Mason City, Iowa.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- The project was completed on time during the summer before school began.

4. Moved by Kangas, seconded by Lampe to approve Resolution 16-84 approving the release of the maintenance guaranty for Centennial Oaks Golf Club Addition-Phase 3B.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- The City is satisfied with the improvements made.

5. Moved by Lampe, seconded by Sherer to approve Resolution 16-86 approving the contract with Asplundh Tree Expert Co. of Willow Grove, Pennsylvania for the Waverly Rail Trail Vegetation Management for the not-to-exceed amount of \$75,000.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- The Parks Department is unable to keep up with the maintenance of the trail. This contractor has the equipment to clear trails and has a main office in Urbandale, Iowa and crews from Wisconsin so it is anticipated to have a reasonable response time with completing 1 mile/week for 7 weeks starting in January. The contractor will clear approximately 8 feet on both sides of the trail and above where feasible to help with mowing and for safety. There will be some loss of shade, but many of the trees are dead wood. The City will be sending a letter to all property owners along the route to give them the option of keeping the wood; otherwise, the City will mulch what is cleared. After this clearing, the City anticipates being able to keep up with the maintenance of the trail and for the efforts to last at least 10 years. The City hasn't received any contributions from the county.

6. Moved by Sherer, seconded by Waldstein to approve Resolution 16-87 approving a sanitary sewer line easement on City property at 212 1st Avenue SW for the benefit of the property owner at 220 1<sup>st</sup> Avenue SW.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- Originally, this was 1 lot in which they built another home for a family member on. The sewer line for the new house was run through the basement of the other house joining their lines underneath at the alley. Now, in order to allow the citizen to run a new sewer line to the alley, they can no longer go through the basement of the other property. Therefore, the City allowed them to go through the adjoining flood buyout lot. The City wants to create an easement for this so it can be recorded so people will know that a sewer line goes through this area.

7. Moved by McKenzie, seconded by Sherer to approve Resolution 16-88 approving a drainage easement in Lenore Estates Condominium Regime and authorizing the Declaration of Drainage Agreement to be signed by the Mayor and City Clerk.

**Motion passed. Yes: 5 No: 0 Absent: 2**

- This area has had drainage issues for quite a few years and it is the upper end of the north branch of the Dry Run Creek. There is an area around the outlet of the storm sewer that will be graded and improved for the whole area. In addition, the City intends on defining the Dry Run to be 1,000 feet west of 24<sup>th</sup> Street NW instead of 500 feet.

8. Moved by Lampe, seconded by Kangas to approve the First Reading of Ordinance 1015, an Ordinance Amending Chapter 68 Sections 68.3b, 68.5, 68.6, 68.7 and 68.12, Dry Run Waterway, of the Waverly Municipal Code amending proposed language.

**Motion passed. Yes: 5 No: 0 Absent: 2**

10. Moved by Waldstein, seconded by Sherer to approve Resolution 16-89 authorizing architectural and engineering services for streetscape enhancements for the Bremer Avenue reconstruction project.

**Motion passed. Yes: 5 No: 0 Absent: 2**

The goal is to establish what the City wants going forward so the IDOT can finalize their plans. If there is no input from AHTS Architects to WHKS & Co., the streetscape will be put back exactly as it is. Larry Kurtz of AHTS Architects presented different concepts and ideas for streetscape elements for the Bremer Avenue reconstruction project. Black iron tree guards will be multifunctional by protecting the trees and as a place to park bikes. It is recommended to place 3 columnar-type trees per side where possible. The Council needs to consider what they want in the intersections; they can choose brick, paint or nothing. Having something in the intersection can help slow down the traffic. Paint is the most reasonable for pricing and can be freshened up. Bump outs at various intersections will benefit pedestrian safety and mobility and can include additional seating and trees for shade. It is also recommended for sidewalk replacements to be made at this time in order to fix the sidewalks in disrepair or with a slope that exceeds ADA guidelines. For new water mains along Bremer Avenue, they will need to remove approximately 9 feet wide sections that are 12 feet deep. The City will replace up to the shutoff box.

- 
- Travis Toliver of Waverly Chamber of Commerce commented on behalf of 8 business owners he spoke to regarding their support of having bump outs for safety and

having a gateway type intersection that can serve both as a promotion of the City and as a way to cause drivers to slow down. They were also interested in having awnings to enhance their businesses. He didn't receive any negative feedback from the business owners he spoke to. He also encouraged the Mayor and the Council to look at this as an investment back into our community.

- Discussion took place regarding placement of the bricks whether they would be placed as a straight line or in a curved design for an approximate 30% increase in costs. With the exact placement of bricks not being one of the elements needing to be decided for WHKS & Co. to begin finalizing their plans, a final decision can be made after WHKS & Co. provides cost estimates.

- Guest Councilmember Rathe commented that having the bricks straight along the street is easier for the aging population to see and lessens the fall risk.

- Paula Stevenson, a downtown property owner, expressed her concern of having property owners have the expense of cleaning out a vault full of cement that the City had filled in order to replace their water main. She also reminded the Council that the prices for the brick work will come back at the current pricing not 2018 pricing and if they expect property owners to help contribute, they will run into the same challenges that the committee she was on had years ago when they looked at revitalizing the sidewalks.

11. Moved by McKenzie, seconded by Waldstein to approve Proposal of Services consisting of onboarding and review of the City Administrator and outlining of a Strategic Planning session by huelife of Maplewood, MN for an estimated cost of \$5,025.00.

**Motion passed. Yes: 5**

**No: 0**

**Absent: 2**

- The City has used Richard Fursman's services in the past for a 6 month onboarding process and later, for a 12 month performance evaluation. Council requested for a proposal to be submitted in which majority of it would focus on the performance review, but the discussion of goals and expectations can be the frame work to take into the strategic planning process.

G. Study Session Calendar.

1. Review flood protection options for SE Waverly.

- In 2010, a committee formed and held open houses to look at flood mitigation. It looked at three different options of flood protection in the Waverly area that would be affected by a 100-year flood. Three options were considered, and in order to get a FEMA map revision, the levee would need to be 3 feet above the 100 year flood elevation which would have cost \$9.5 million and may cost an additional 15% now. There are other options that can provide protection and access to the homes at less cost, but won't change the FEMA flood map. A levee can be placed at 7<sup>th</sup> Avenue SE that starts at 4 feet high in the lower elevation and end with a 1.5 foot sandbag levee at 1<sup>st</sup> Street NW. Another levee at 4<sup>th</sup> Street SE would help to prevent the water from backing up to 7<sup>th</sup> Avenue SE. If there isn't a levee built, then it is recommended to rebuild the road in order to maintain accessibility. It would be more costly to maintain access into the area, and the homes at Harlington Place wouldn't benefit either. If a levee is built in both locations, that area would benefit. In order to determine the entire impact of adding these levees would have on the river, hydraulic modeling will need to be done. AECOM was involved in the 2011 study and it is recommended to get AECOM to work with the flood protection and to have Stanley Consultants, who has the hydraulic modeling, compute the new figures. It

was also mentioned that removing the structure of the existing 3<sup>rd</sup> Street SE bridge would also lower the water elevation during the times of high water. Council expressed their interest in exploring these options if the study is estimated to cost \$20,000-25,000. With strategic planning and the budget planning process coming up, this can be looked at again for funding. A timeline with the idea of engaging engineering services in the springtime and then, possibly look at a fall or spring of 2018 project.

2. Review of City on-street parking

- There are various streets in Waverly that have been considered to have parking on one side of the street rather than both. Council would like to know what the standards for determining parking are whether it is the width, collector street, etc. Once they set some industry standard guidelines to follow, they would like to review single quadrants at a time to establish consistency citywide that is done systematically and not complaint driven.

3. Discussion of no quorums at meetings for City Council and Boards and Commissions.

- Council expressed their thoughts of owing it to the public to at least show up for the meeting and then, cancel it. Therefore, if there is any public input, Council would be able to receive it. In addition, if it is legally allowed, the Council has mixed opinions as to whether or not they would discuss items. Also, if the staff knows ahead of time that there won't be a quorum, majority of the staff wouldn't have to attend since there won't be any formal business. A non-quorum meeting should be noted for the archives and should still be televised to show attendance and transparency. The City code has a provision for when 3 consecutive meetings are missed for each person. Currently, it seems that different cities have different processes for handling meetings with no quorums and Council would like to know what is the proper way for handling a meeting that has no quorum.

- Guest Councilmember Rathe is interested in knowing the percentage of the meetings where everyone showed up, and if members aren't showing up, is there a reason behind that and a way to help attendance.

H. Reports from Boards and Commissions

1. The W Monthly Revenue; May, 2016; Received into record.
2. Monthly Financials; September, 2016; Received into record.
3. Airport Commission Minutes; September 8, 2016; Received into record.
4. Bremer-Waverly Law Board Minutes; September 12, 2016; Received into record.
5. Leisure Services Commission Minutes; September 15, 2016; Received into record.
6. Waverly Senior Calendar; October, 2016; Received into record.

G. Staff Comments

- Staff has made a slight change in the timing of the traffic signals at 4<sup>th</sup> Street SW and Bremer Avenue and is looking for public feedback for this change. One of the consequences of this change is that pedestrian movements are impacted with the countdown clocks also having been adjusted.

- Pete Lampe noticed the adjustment and appreciates the change.

H. City Council Comments

- Councilmember Lampe inquired about the accident involving a garbage truck.

- Councilmember Kangas noted that the Council has a week off next week from meetings and reminded the public to keep an eye out for the kids who will be out and about for Halloween.
- Councilmember Sherer thanked Guest Councilmember Ann Rathe for being a part of the Council this month and appreciated her significant contributions.
- Councilmember McKenzie reminded the public of the hours of the Yard Waste site as being 7:00 A.M. -5:30 P.M. Monday-Friday and 8:00 A.M. - 4:00 P.M. on Saturday. Staff expressed their appreciation of having the public utilize the site for disposal of leaves in lieu of burning.
- Guest Councilmember Rathe thanked Councilmember Waldstein for inviting her; she found it to be very interesting. She also thanked everyone for their services as it is a time-commitment, but it is important work to do.

I. Mayor's Comments

- There were none.

J. Moved by Kangas, seconded by Lampe to adjourn. Motion passed and Council meeting adjourned at 9:35 P.M.

**Motion passed.      Yes: 5      No: 0      Absent: 2**

---

Charles Infelt, Mayor

ATTEST:

---

Valorie Northrup, Deputy City Clerk