

Regular Meeting Minutes – June 5, 2017
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on June 5, 2017 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Kangas, Lampe, McKenzie, Reznicek, Sherer, and Waldstein. Absent: Gade

- A. Mayor Infelt called the meeting to order.
- B. Mayor Infelt led in the Pledge of Allegiance.
- C. Amir Matoufiazar, a Wartburg Student from Iran, delivered prayer.
 - Mayor Infelt presented a Prayer/Invocation Policy.
- D. Moved by Waldstein, seconded by Kangas to approve the agenda as presented.
Motion passed. Yes: 6 No: 0 Absent: 1
- E. Moved by Sherer, seconded by Waldstein to approve the May 15, 2017 regular meeting minutes and the May 22, 2017 study session minutes as presented.
Motion passed. Yes: 6 No: 0 Absent: 1
- F. Council welcomed Paula Stevenson as the Guest Councilperson for June.
- G. Public Hearings
 1. This was the date, time and place for a public hearing on the 1st Street SE Water Extension 2017 project Plans, Specifications, Form of Contract and Estimated Cost.
 - There were no oral or written public comments.
Moved by Kangas, seconded by Sherer to approve Resolution 17-67, A Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost of \$176,646.00 for the 1st Street SE Water Extension 2017 project.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This project involves the replacement of an old 4-inch water main with an 8-inch water main from East Bremer Avenue south to 2nd Avenue SE (old CUNA building). This building is being converted to residential apartments in the near future requiring it to have a sprinkling system in place. It is anticipated that this project will begin as soon as Phase I is completed downtown which is most likely between July and October. This will take the water main to the CUNA building where they will begin renovations in 2018.
 - 1a. Moved by McKenzie, seconded by Waldstein to approve Resolution 17-68, A Resolution Awarding Contract for the 1st Street SE Water Extension 2017 project to Denver Underground & Grading of Denver, Iowa for the bid amount of \$163,646.00.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This serves as the City’s contribution to the old CUNA building renovation project and the City’s participation assists in achieving the tax rebates necessary for such a project.
- H. Public Comments on Items Not on the Agenda
 - Pete Lampe commented that Cedar Lane has experienced increased traffic flow due to the downtown construction. The heavier traffic flow is causing more rapid deterioration of the road. This is becoming hazardous with the shoulders crumbling.
 - Justin Scott of the Eastern Iowa Atheists commented to Council that allowing variance in prayer is a proud moment.
- I. Consent Calendar
 1. Four Pay Request from Asplundh for the Trail Vegetation Project for \$2,926.40, \$4,434.40, \$4,046.39, and \$886.88.

2. Pay Request from Midwest Concrete, Inc. for the Citywide Pedestrian Ramp Construction 2017 for \$37,011.14.
3. Cigarette/Tobacco/Nicotine/Vapor Permit for:

<i>Casey's General Store #1649</i>	<i>Liquor & Tobacco Outlet</i>
<i>Dollar General Store</i>	<i>Prairie Links</i>
<i>Fareway Stores, Inc. #561</i>	<i>Hy-Vee</i>
<i>Walgreens</i>	<i>Kwik Star #286, #707 & #752</i>
<i>Wal-Mart</i>	

Moved by Waldstein, seconded by Lampe to approve the Consent Calendar.

Motion passed. Yes: 6 No: 0 Absent: 1

J. Regular Business.

1. Moved by Reznicek, seconded by Sherer to approve Resolution 17-69, A Resolution approving a Professional Services Agreement to begin July 1, 2017 with BerganKDV for Information Technology services for the estimated annual cost of \$59,070.00.

Motion passed. Yes: 6 No: 0 Absent: 1

- This professional services agreement is for I.T. services to help the City be proactive and reactive with: onsite and offsite management, 24/7 response times within 2 hours for- business impacting events, remote monitoring, long term strategic planning, budgeting assistance, firewall maintenance, and other various services. Funding for the agreement will come from amounts already budgeted in annual cost of repairs and capital projects.

2. Moved by Lampe, seconded by Reznicek to approve a Special Event Permit Application for the Waverly Volunteer Firefighters Association for September 1 through September 9, 2018.

Motion passed. Yes: 6 No: 0 Absent: 1

- The firefighters intend on having meetings that will encompass the entire community and will be open to the public. There will also be meetings with the business owners of Waverly in order to give input. The special provisional use for the campgrounds went to the Planning & Zoning Commission and Council in December, 2016. While certain "clean-up" issues will be taken care of relatively soon after the event is over, there will be some items that will not be taken care of until the following spring, 2019. The white electrical boxes will be removed in a timeline that is favorable with Waverly Utilities and the ag-lime may stay until spring if a contractor is found that can use it. The porta-potties and garbage removal will be completed after the event is over. All re-seeding of the site will be done in the fall after the event (weather permitting) with the exception of the tent site which may be completed in the spring of 2019. There will be approximately 250 porta-potties depending on number of attendees. Indemnity and Certificate of Damage deposit fee will be completed at a time closer to the event. The traffic flow/staging is anticipated to be same as 2016 depending on the timing of the Bremer Avenue Reconstruction project. The project timing will also dictate where events will be held and they will be determined at a later time. The two main points that need to be addressed is the restoration of the parkland and the noise levels. The goal would be to have a successful event without it being inappropriately destructive.

3. Moved by Sherer, seconded by McKenzie to approve Resolution 17-70, A Resolution Authorizing acquisition of property from CLAN Properties, LLC for the purchase price of \$395,000.00 for the Waverly Municipal Airport Safety Zone Expansion Project.

Motion passed. Yes: 5 No: 1 (Reznicek) Absent: 1

- An offer was made to the City from the CLAN Properties, LLC with the majority of items being agreed upon by both parties. The outbuildings will remain and then, be leased back to the family for a minimum of 5 years. The family will be able to use the farmland this year and not pay rent for it. Rent will begin March 1, 2018. The well will remain operable, and it will be the responsibility of the tenants (the CLAN Properties, LLC) to maintain it since it is not a necessity for the City's use.
4. Moved by Kangas, seconded by Waldstein to approve Resolution 17-71, A Resolution 17-71, A Resolution Approving an Engagement Agreement between the City of Waverly and Ahlers and Cooney, P.C. in its capacity as Bond Counsel for proceedings for not-to-exceed \$2,000,000 General Obligation Bonds, Series 2017A and not-to-exceed \$650,000 Taxable General Obligation Bonds, Series 2017B.
Motion passed. Yes: 6 No: 0 Absent: 1
 5. Moved by Waldstein, seconded by Sherer to approve Resolution 17-72, A Resolution Approving Bonds and Certificate of Insurance from Feldman Concrete for the City Hall Parking Lot Improvements 2017 project.
Motion passed. Yes: 6 No: 0 Absent: 1
 6. Moved by McKenzie, seconded by Waldstein to approve Resolution 17-73, A Resolution Approving Bonds and Certificate of Insurance from Feldman Concrete for the Downtown Alley Reconstruction 2017 project.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This is the alley from 1st Street NE to 2nd Street NE. The timeline for this project would be anticipated to begin on or around July 10 and complete on or around September 29. Phase I, on the east and west side of the Bremer Avenue Bridge, is projected to be completed on or around July 4. The contractor will work with us on the timing in regards to the Bremer Avenue Reconstruction since the same contractor will be doing all three projects of the City Hall parking lot, library parking lot, and the alley. In the spring of 2018, the block of the alley-way behind Dean's Light Box will be reconstructed.
 7. Moved by Sherer, seconded by Waldstein to approve Resolution 17-74, A Resolution Approving Bonds and Certificate of Insurance from Feldman Concrete for the Library Parking Lot Improvements 2017 project.
Motion passed. Yes: 6 No: 0 Absent: 1
 8. Moved by Waldstein, seconded by McKenzie to Cancel the June 26, 2017 Study Session meeting.
Motion passed. Yes: 6 No: 0 Absent: 1
 - Since there are really no items planned for discussion at the meeting, cancelling it would not impact progress of projects. However, staff can always find topics to discuss. It was also discussed that family schedules are especially busy during the summer months and Council attendance is typically low for the study sessions. Council members McKenzie, Waldstein, and Kangas were the Council members that sponsored this item. The process for putting topics on the agenda was also discussed. There is not a required or formal process since Council has not adopting one.
 9. Discussion of moving the July 3, 2017 meeting to July 10, 2017.
 - This seems appropriate with the 3rd being a Monday and a working day and then, being off on Tuesday the 4th. It does, however, mean that there will be no Council meeting for three consecutive weeks. This item will be on the June 19 agenda for action.
 10. Moved by Kangas, seconded by Waldstein to approve the Mayoral Appointments to

reappoint Mary French to the Planning and Zoning Commission.

Motion passed. Yes: 6 No: 0 Absent: 1

K. Reports from Boards and Commissions

1. Historic Preservation Commission Minutes; March 27, 2017; Received into records.
2. Library Board of Trustees Minutes; April 11, 2017; Received into records.
3. Planning and Zoning Commission Minutes; May 4, 2017; Received into records.
4. Senior Calendar; June, 2017; Received into records.

L. Staff Comments

- There were none.

M. City Council Comments

- Staff informed Council member Waldstein that they have been looking into the fireworks. However, the timing of the passage this law didn't provide a lot of time to be diligent in researching it. Staff would recommend that City allow the State Code to be the authority on it for now and then, make appropriate changes before the next holiday. This would allow staff and Council enough time to research, review, and discuss it without having to waive any of the three readings required to change an ordinance. Restrictions for sales would be that they would need the permission of a private, commercial, property owner to set up on their property. If they are going door to door, the peddler, transient merchant, solicitor's permit requirements would be followed. There are specific hours that it is allowable for private property owners to set off fireworks. Staff will post this on the City's Facebook page and in the Waverly Newspapers. If a neighbor or someone in your area is so loud they are causing a nuisance, a citizen can still notify the police and it can be handled under the City's nuisance law. The City's existing ordinance does require a permit issued by the Fire Chief to set off firework public displays. This is different than consumer fireworks which would be for private individuals on private property.

- Staff informed Council member Lampe they have reached out to a couple of consulting firms that have worked on bridges in this area and are awaiting their responses. This will provide an opportunity to review with City Council the variety of styles of bridges and what the associated costs are. The City Council could then make a decision on a particular style. From that point, Council would look at engaging a consulting firm to form a more comprehensive report and cost estimate for what the bridge would cost. Mr. Lampe noted that he would like to see a concise list of what the City can afford. A resolution was passed that approved the hiring of WHKS to develop a professional services agreement. This resolution did not specify what they would be hired to do and left forward direction very vague.

- Council member Kangas recognized the swimming pool staff for their joint efforts in a training exercise with the Waverly-Shell Rock area scouts on June 3.

- Council member McKenzie further discussed the traffic flow on Cedar Lane and asked the public to slow down and be alert.

N. Mayor's Comments

- Mayor Infelt discussed decorum expectations of the Council with expressing they should not get personal, there should not be interruptions, and members will be asked to re-phrase if comments get to be too personal.

O. Moved by Kangas, seconded by Waldstein to adjourn. Motion passed and Council meeting adjourned at 8:23 P.M. **Yes: 6 No: 0 Absent: 1**

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk