

Regular Meeting Minutes – May 15, 2017
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on May 15, 2017 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Gade, Kangas, McKenzie, Reznicek, Sherer, and Waldstein. Absent: Sherer

- A. Mayor Infelt called the meeting to order.
- B. Moved by Kangas, seconded by Gade to approve the agenda as amended by removing Regular Business items numbers 7 and 8 regarding bond sales.
Motion passed. Yes: 6 No: 0 Absent: 1
- C. Moved by Reznicek, seconded by Gade to approve the April 24, 2017 study session meeting minutes and the May 1, 2017 regular meeting minutes as presented.
Motion passed. Yes: 6 No: 0 Absent: 1
- D. Proclamation
1. Moved by Waldstein, seconded by Kangas to Proclaim May 14th through May 20, 2017 to be Nursing Home Week.
Motion passed. Yes: 6 No: 0 Absent: 1
- E. Public Comments on Items Not on the Agenda
- There were none.
- F. Consent Calendar
1. Pay Request from WHKS & Co. for the Biennial Bridge Inspections for \$5,368.84.
 2. Pay Request from Stanley Consultants for the Cedar River Parkway (East) Improvements 2018 for \$22,785.00.
 3. Class B Beer License for Pizza Hut #4348.
 4. Class B Native Wine Permit for Renewed Purpose.
 5. Class C Liquor License for GT MillerTyme.
 6. Cash disbursements for April, 2017.
Moved by Waldstein, seconded by McKenzie to approve the Consent Calendar.
Motion passed. Yes: 6 No: 0 Absent: 1
- G. Regular Business.
1. Moved by Reznicek, seconded by Kangas to approve the purchase of eight (8) VISTA HD Extended Capacity Wearable Cameras, VISTA Transfer Station, Evidence Library and VISTA License from Watch Guard of Allen, Texas for the Waverly Police Department for the purchase price of \$11,945.00.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This is to purchase the first half of the wearable cameras for the police officers. The second half will be purchased in the next fiscal year. Wearable cameras will further the platform of evidence. Currently, all the police department’s patrol vehicles are equipped with a Panasonic mobile video. The wearable cameras will be worn by the officers at all times and will help when the officers go out of reach of the camera from the vehicle. The Watchguard system has manual on/off capabilities built into them. A policy is being drafted to establish when and where the officers will be allowed to turn the cameras off, for example, during private moments. The policy being drafted will closely follow

the International Chief of Police recommended body worn camera system policy. The policy will come to Council when complete as a communication item.

Officers will be allowed to review the camera system prior to reports in order to add accuracy and consistency to the reports. The exception to this would be for internal affairs in the event there is an internal investigation as a safeguard.

2. Moved by Kangas, seconded by McKenzie to approve the Third and Final Reading of Ordinance 1023, an Ordinance Amending Section 100.3.02 of the Waverly City Code providing for 31.49 acres located on the east side of 20th Street NW and 2,200 feet north of Knight Avenue from Agricultural District (A-1) to Multiple Family Residential District (R-3) subject to signed Zoning Agreement limiting construction of up to four attached residences per structure.
Motion passed. Yes: 5 No: 1 (Gade) Absent: 1
 - While this is a wonderful project, it still leaves room to grow in dealing with neighbors when the developer does not have a plan for the property.
3. Moved by Waldstein, seconded by McKenzie to approve the Third and Final Reading of Ordinance 1024, an Ordinance Amending Sections 100.8 and 100.9 of the Waverly City Code providing for replacement of current R-3 (Multiple Family Residential District) and R-4 (Multiple Family-Transitional District) language with new R-3 (Townhome Residential District) and R-4 (Apartment Residential District) district language.
Motion passed. Yes: 5 No: 1 (Gade) Absent: 1
 - There was a change in the ordinance to define the site plan grading from five (5) feet to two (2) feet intervals.
4. Moved by McKenzie, seconded by Gade to approve Resolution 17-60, A Resolution approving a Farm Lease Agreement between the City of Waverly and David Joachim for 54 acres located at Champions Ridge- Parcel N property for the total amount of \$9,720.00 payable in two increments.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This parcel was purchased on May 1, 2017 and is subject to an existing lease with David Joachim. By Iowa law, the City is bound to this farm lease.
5. Moved by McKenzie, seconded by Waldstein to approve Resolution 17-61, A Resolution approving the submission of the Integrated Vegetation Management Plan by the City of Waverly to the Department of Transportation of the State of Iowa.
Motion passed. Yes: 6 No: 0 Absent: 1
6. Moved by Reznicek, seconded by Gade to approve Resolution 17-62, A Resolution declaring an Official Intent undertreasury regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.
Motion passed. Yes: 6 No: 0 Absent: 1
 - This is a necessary step in the process to reimburse the City for funds used from the reserve account to purchase property for the Champions Ridge project.
7. Resolution 17-65, A Resolution directing the advertisement for sale of \$1,500,000 (dollar amount subject to change) General Obligation Bonds, Series 2017A, and approving electronic bidding procedures and official statement.
 - This item was removed from the agenda.

8. Resolution 17-66, A Resolution directing the advertisement for sale of \$615,000 (dollar amount subject to change) Taxable General Obligation Bonds, Series 2017B, and approving electronic bidding procedures and official statement.
 - This item was removed from the agenda.
9. Moved by Gade, seconded by Lampe to approve Resolution 17-63, A Resolution authorizing City Staff to hire WHKS, Inc. to develop a professional services agreement for a new pedestrian bridge to cross the Cedar River at 3rd Street SE.
Motion passed. Yes: 4 No: 2 (McKenzie, Waldstein) Absent: 1
 - This was brought back to Council in an effort to find a solution that would fit the neighborhood and the City's budget. This motion is not to approve funds, but to ask WHKS to develop a scope of services. There was discussion to review the history of options for the bridge. The piers are not in the condition originally thought so it has been determined they cannot be used on a future structure. The pedestrian only option would eliminate the eligibility requirements for the \$1,000,000 in available funding. Brian from Minowa Construction informed Councilman Lampe that a prefabricated bridge up to 250 feet in length is available as a standard bridge. An engineer would still need to prepare plans which are normally done by the fabricator. This engineer would then be responsible for the structural design of the bridge. The City's Civil Engineer would be responsible for everything else. Minowa Construction quoted an unofficial amount of \$1.4 Million. City staff feels this is very much in line with the cost estimate that VJ Engineering estimated. VJ Engineering quoted \$1.7 Million which would include engineering design, construction, project administration, brand new piers and abutments. An anticipated elevation of four (4) to six (6) foot range would be likely. The costs incurred to prepare for repairing the current truss bridge is \$270,000. This cost includes the geo-tech work, the borings of the stream bed, core samples on the piers, and much of the survey work. These costs will not be incurred again. Depending on a chosen design for a new pedestrian bridge, it might cost \$50,000 to \$100,000 to put together a bid package. A pedestrian only bridge would need to be designed for a 40 ton weight limit. A southeast flood protection study will be coming in the future. This may include raising 7th Avenue SE to the point that it would be accessible in high water events, but probably not for a 100 year flood event.
 - Mary Schildroth represented the Residents for Repair group stated the group is now in favor of a new, pedestrian only bridge crossing since the repair of the current bridge did not fit into the City's budget plan.
 - John Meyer noted that there are times that 7th Avenue SE might be under one (1) or two (2) feet of water and residents of southeast would like to use their pickups to relocate items from their homes to a drier area. It may be nice if a new, ten (10) ton, pedestrian bridge could handle such loads in time of need.
10. Moved by McKenzie, seconded by Lampe to affirm the Public Works Summer Leave Request Policy and Denial of a Union Grievance.
Motion passed. Yes: 4 No: 2 (Gade, Reznicek) Absent: 1
 - Rich Kurtenbach with IBEW 288 explained to Council that there is a union labor grievance issue that needs to be worked out. Coming to Council is

part of the grievance procedures set out in the union contract. Mr. Kurtenbach noted that he does not feel this grievance addresses the main problem. The grievance is regarding unfair denial of floating holiday leave and the City implementing a new policy inconsistent to CBA and past practice. This is not a citywide policy. There was a vacation date of May 20 requested off on April 12 and was denied on April 18. The grievance was filed on April 25th after attempts to resolve the issue with City Administrator James Bronner. The policy does not conflict with the contract language.

- A new Public Works Summer Leave Request Policy was distributed on January 31. This policy limits time off including vacation leave, floating holidays (casual leave), and comp. leave to 5 days in any consecutive 8 weeks. The reason the policy was implemented was due to how much vacation was being taken during the months from April to October when much of the core services for the City occur. Employees would still be allowed to use four (4) weeks of vacation during the months from April to October on a sliding eight (8) week scale. The policy applies to the entire Public Works Division from the Public Works Director down. It is not just for a certain group. This discussion is not about one person having a day off it is about a departmental wide policy.

11. Moved by Kangas, seconded by Waldstein to approve Mayoral Appointment of Lance Gritters to the Planning and Zoning Commission

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

H. Reports from Boards and Commissions

1. Bremer-Waverly Law Board Minutes; April 10, 2017; Received into record.
2. Leisure Services Commission Minutes; April 20, 2017; Received into record.
3. Waverly Senior Center Calendar; May, 2017; Received into record.

I. Staff Comments

- There were none.

J. City Council Comments

- Councilmember Kangas suggested a study session item regarding what fireworks would be allowed to be used within the City limits.
- Staff informed Councilmember Gade that pedestrian crossing signs are located at high volume pedestrian crossing areas. Councilmember Gade also inquired regarding emails sent to City Administrator Bronner.

K. Mayor's Comments

- Complimented the City on the great progress in terms of handling the inconvenience in the downtown area.

- L. Moved by Kangas, seconded by Lampe to adjourn. Motion passed and Council meeting adjourned at 8:52 P.M. **Yes: 6 No: 0 Absent: 1**