

Regular Meeting Minutes – August 21, 2017
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on August 21, 2017 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Gade, Kangas, Lampe, McKenzie, Reznicek, Sherer, and Waldstein. Absent: None

- A. Mayor Infelt called the meeting to order.
- B. Moved by Lampe, seconded by Waldstein to approve the agenda as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- C. Moved by Sherer, seconded by McKenzie to approve the August 7, 2017 regular meeting minutes as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- D. Public Hearings
1. This was the date, time and place for a public hearing on the intent to commence a public improvement project for the Cedar River Parkway (East) and to acquire property and easements for the project.
 - Staff informed Bruce Ecker that this project would be funded with General Obligation Bonds (GO Bonds), Local Option Sales and Service Tax (LOSST) dollars, and Tax Increment Financing (TIF) monies. There were no written comments.
The Public Hearing was then closed.
Moved by Sherer, seconded by Kangas to approve Resolution 17-102, A Resolution Approving the commencement of a public improvement project to design and complete the Cedar River Parkway (East) road improvements from 8th Street SE to Highway 3 and to acquire property and easements for the project.
Motion passed. Yes: 6 No: 1 (Gade) Absent: 0
 - Staff informed Council that using eminent domain verbiage is standard wording for this type of project. It was further noted that transparency could be another reason for the wording of eminent domain being mentioned and would only ever be used as a last resort.
- E. Public Comments on Items Not on the Agenda.
- Paula Stevenson informed Council of the posts that were made on the KWAY Radio Facebook page regarding the future of the 3rd Street SE and added that she had taken time to ask people what their preference is. She found that people are really tired of talking about it; however, 143 people were in favor of a vehicle bridge and 7 people wanted it to be a pedestrian only bridge.
 - Larry Hanson commented on the quality of the audio when watching Council meetings from home on T.V. and noted that the Councilmembers need to speak clearly and directly into their microphones.
- F. Consent Calendar
1. Pay Request from McClure Engineering Co. for the Airport Land Acquisition 2012 for \$1,639.01.
 2. Pay Request from McClure Engineering Co. for the 20th Street NW Reconstruction 2018 for \$30,682.20.

3. Pay Request from Tiedt Nursery, Ltd. for the Hwy 3 (Bremer Avenue) Reconstruction 2017 Downtown Streetscape for \$6,164.00.
4. Pay Request from Feldman Concrete for the Downtown Alley Reconstruction 2017 for \$13,261.05.
5. Pay Request from Feldman Concrete for the City Hall Parking Lot Repair 2017 for \$20,687.30.
6. Pay Request from Blacktop Service Co. for the 2017 Bituminous Seal Coat Program for \$142,498.01.
7. Pay Request from Denver Underground & Grading for the 1st Street SE Water Main Extension 2017 for \$53,166.56.
8. Pay Request from Paul Miller Design, Inc. for the Golf Course Pond Project-Phase 2 for \$243.30.
9. Cash disbursements for July, 2017.

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

Motion passed. Yes: 7 No: 0 Absent: 0

G. Regular Business.

1. Moved by Reznicek, seconded by Lampe to set the date as September 11, 2017 for taking formal action on whether or not to proceed with the development of construction plans and bid documents for the 3rd Street SE Pedestrian Bridge Replacement.

Motion passed. Yes: 7 No: 0 Absent: 0

- Casey Faber of WHKS & Co. presented the 3rd Street SE Pedestrian Bridge Feasibility Study with options for a pedestrian only bridge. Mr. Faber compared a Pre-Engineered Steel Truss Bridge Option to a Pretensioned Prestressed Concrete Beam (PPCB) Bridge Option including variations for both (including width), disadvantages and advantages of the options, and costs for those options. Mr. Faber confirmed for Council that the costs reviewed would include the costs for demolition and removal of the current bridge. The 2015 figures included a removal option so that option included costs for demolition and removal. The other 2015 options did not. Raw steel does temporarily create a rust “rub-off or staining” effect on clothes, hands, etc. Over time, as more rain and water is exposed to the steel, the moisture will cause it to seal and that will eventually stop.

- Dean Soash commented in favor of a vehicular bridge and not of a pedestrian only bridge.

- Jeff Soash stated that he was in favor of a vehicular bridge and not of a pedestrian only bridge.

- Mary Schildroth spoke in favor of a pedestrian only bridge and not a vehicular bridge.

2. Moved by Waldstein, seconded by Kangas to approve Resolution 17-103, A Resolution approving a Special Provisional Use for the installation of a ground solar panel array at 2000 Heritage Way.

Motion passed. Yes: 7 No: 0 Absent: 0

- Although Council member McKenzie is an employee of the applicant, CUNA Mutual Group, he would not personally benefit from a determination, so it was the consensus of Council that it was not necessary for h

3. Moved by Lampe, seconded by Reznicek to approve Resolution 17-104, A Resolution amending the 2017 Biannual Subdivision Sidewalk Infill Program for a deferment to the construction plans approved by Resolution 17-84 for one property owner's sidewalk installation.
Moved by McKenzie, seconded by Sherer to amend the original motion by adding a one year (12 month) deferment provision.
Motion passed. Yes: 7 No: 0 Absent: 0
• Council maintains that sidewalk infill is important for sidewalk connectivity throughout the City. The final zone, seven (7), is finishing up and it will be time to begin a second rotation of all seven (7) zones. This would be an opportune time to review whether it would be appropriate to add the older subdivisions into the rotation. Indefinite deferrals have been granted in the past if the sidewalk would need to be installed adjacent to undeveloped land.
4. Moved by Waldstein, seconded by McKenzie to Set a Public Hearing for September 11, 2017 at 7:00 P.M. in the Council Chambers at City Hall for consideration of resolution to approve sale of unused right of way property to Twin B, LLC pursuant to Development Agreement for \$60,000.
Motion passed. Yes: 6 No: 1 (Gade) Absent: 0
5. Moved by Kangas, seconded by McKenzie to approve Second Reading of Ordinance 1025, Amending Ordinance Nos. 569, 585, 609, 638, 664, 733, 791, 853, 866, 892, 931, 736, 932 and 978, providing that general property taxes levied and collected each year on certain property located within the Amended Waverly Unified Urban Renewal Area, in the City of Waverly, County of Bremer, State of Iowa, by and for the benefit of the State of Iowa, City of Waverly, County of Bremer, Waverly-Shell Rock Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended Waverly Unified Urban Renewal Area (Amendment No. 2 to the Waverly Unified Urban Renewal Plan) and Setting a Public Hearing for September 11, 2017 at 7:00 P.M. in the Council Chambers at City Hall.
Motion passed. Yes: 7 No: 0 Absent: 0
6. Moved by McKenzie, seconded by Waldstein to approve Resolution 17-105, A Resolution Accepting the Golf Course Pond project as complete and approving Change Order No. 6 for the final adjustment of quantities in the amount of a \$217.50 decrease and final pay request in the amount of \$7,606.31 to Baker Concrete and Excavating of Waverly, Iowa.
Motion passed. Yes: 7 No: 0 Absent: 0
• Staff is satisfied that the pond at hole seven (7) will function as expected given a little healing time.
7. Moved by Sherer, seconded by Kangas to approve Resolution 17-106, A Resolution Accepting the City Hall Parking Lot Improvements 2017 project as complete and approving Change Order No. 1 for the final adjustment of quantities in the amount of a \$567.60 increase and final pay request in the amount of \$1,651.48 to Feldman Concrete of Dyersville, Iowa.

- Motion passed. Yes: 7 No: 0 Absent: 0**
8. Moved by Reznicek, seconded by Gade to approve the purchase of a 2018 Dodge Ram ¾ ton truck from Krueger Auto of Waverly, Iowa for the net purchase price of \$27,497.00 without the trade in.
- Motion passed. Yes: 7 No: 0 Absent: 0**
- Staff feels the City will benefit more by selling the used pickup rather than trading it in.
9. Moved by McKenzie, seconded by Gade to approve the purchase of a John Deere BH9 Backhoe attachment from P & K Midwest of Waverly, Iowa for the net purchase price of \$11,685.00 including an optional 18" bucket.
- Motion passed. Yes: 7 No: 0 Absent: 0**
10. Moved by Reznicek, seconded by Lampe to approve the purchase of a 1st Products Aerator Seeder/Aerator attachment from Commercial Turf and Tractor of Chillicothe, Missouri for the net purchase price of \$13,209.00 including an optional set of tines.
- Motion passed. Yes: 7 No: 0 Absent: 0**
- This piece of equipment will be used throughout the City including at the golf course.
11. Moved by McKenzie, seconded by Waldstein to approve Resolution 17-107, A Resolution Appointing Bankers Trust Company of Des Moines, Iowa, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement.
- Motion passed. Yes: 7 No: 0 Absent: 0**
12. Moved by Waldstein, seconded by McKenzie to approve Resolution 17-108, A Resolution Amending the "resolution authorizing the issuance of \$1,500,000 General Obligation Bonds, Series 2017, and levying a tax for the payment thereof", passed and approved on March 6, 2017, by substituting a new resolution therefor, approving and authorizing the issuance of the bonds, and levying a tax for the payment thereof and approving the Tax Exemption Certificate and Continuing Disclosure Certificate.
- Motion passed. Yes: 7 No: 0 Absent: 0**
- The bonds are now sold and the City now needs to certify the final dollar figures and paperwork.
13. Moved by Kangas, seconded by Lampe to approve Resolution 17-109, A Resolution Appointing Bankers Trust Company of Des Moines, Iowa, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement.
- Motion passed. Yes: 7 No: 0 Absent: 0**
14. Moved by Lampe, seconded by Waldstein to approve Resolution 17-110, A Resolution Authorizing and providing for the issuance of \$615,000 Taxable General Obligation Bonds, Series 2017B, and levying a tax to pay said bonds; approval of the Continuing Disclosure Certificate.
- Motion passed. Yes: 7 No: 0 Absent: 0**

- The tax exemption certificate is not necessary for this bond since the bond is taxable due to potentially using it for a private use.
- H. Reports from Boards and Commissions
1. Library Board of Trustees Minutes; July 11, 2017; Received into record.
 2. Economic Development Commission Minutes; July 11, 2017; Received into record.
 - Economic Development Director Bill Werger explained to Council that many economic development leads are delivered throughout the State. There are some cities and towns that offer more incentives than others. Waverly offers incentives; however, the City does not have an abundance of business park property available for developing businesses on. This will need to be looked at.
 3. Airport Commission Minutes July 13, 2017
 - During the month of June, the Waverly Municipal Airport experienced an estimated 300 take-offs and landings, and during the month of July, they experienced approximately 700 take-offs and landings.
 4. Golf Commission Minutes; August 8, 2017; Received into record.
 - On September 9th, there will be a Veterans' Golf Tournament with all proceeds going to benefit the veterans.
- I. Staff Comments
- There were none.
- J. City Council Comments
- Councilmember Waldstein requested that Airport Council Liaison Kangas report back to Council regarding low flying planes.
 - Staff informed Councilmember Kangas that there have been concerns voiced by City staff to the I.D.O.T. and the contractor regarding missed target dates for the Bremer Avenue / Hwy. 3 Reconstruction.
 - Councilmember Sherer commented that the Waverly Public Library had a big crowd for the Eclipse.
 - Councilmember McKenzie thanked the public for being at the meeting this night and for staying engaged.
 - Councilmember Gade noted that older subdivisions, for example Murphy's Addition should be looked at for adding properties to the sidewalk infill program.
- K. Mayor's Comments
- Mayor Infelt commented regarding the unity of the country.
- L. Communication
1. Economic Development Report
 - Council thanked staff for including building permits taken in over the recent years.
- M. Moved by Kangas, seconded by Sherer to adjourn. Motion passed and Council meeting adjourned at 8:51 P.M. **Yes: 7 No: 0 Absent: 0**