

A Regular Meeting of the Waverly City Council was held on April 16, 2018 at 7:00 P. M. at City Hall. Mayor Soash presided.

- A. Mayor Soash called the meeting to order.
- B. Roll Call  
Council Members were present: Birgen, Drenkow, Kangas, McKenzie, Rathe, and Waldstein  
Absent: Sherer
- C. Moved by Waldstein, seconded by Rathe to approve agenda as presented.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
- D. Moved by McKenzie, seconded by Rathe to approve the March 26, 2018 study session minutes and the April 2, 2018 regular meeting minutes.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
- E. Community Highlight
1. Mayor and Council recognized the Wartburg College’s Wrestling Team on their 2018 NCAA Division III National Championship.
  2. Mayor and Council recognized the Wartburg College Women’s Basketball Team 2018 NCAA Division III National Championship Semifinalist Achievement.
- F. Presentation of Plaque of Appreciation
1. Mayor and Council presented a plaque of appreciation to Dave Klamfoth for his service on the Golf Course Commission.
- G. Proclamation.
1. Moved by Birgen, seconded by Kangas to approve a proclamation proclaiming April 20<sup>th</sup> to be Arbor Day for 2018.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
- H. Public Comments on Items Not on the Agenda.
- There were none.
- I. Consent Calendar
1. Approve the purchase of a 2018 Ford Escape for City use from Coonradt Ford of Waverly, Iowa for the sum of \$22,185.00 including a trade-in of \$800.00.
  2. Pay Request from McClure Engineering Co. for the Waverly Municipal Airport Bulk Hangar Insulation Improvements 2017 for \$525.00.
  3. Pay Request from McClure Engineering Co. for the Waverly Municipal Airport Runway 29 Extension 2018 for \$5,510.25.
  4. Pay Request from Stanley Consultants Inc. for the Cedar River Parkway (East) Improvements 2018 for \$11,072.65.
  5. Class C Liquor License for Wooden Foot Saloon.
  6. Class E Liquor License for Wal-Mart Supercenter #1005.
  7. Ownership change for Wal-Mart Supercenter #1005.
  8. Cash disbursements for March, 2018.
- Moved by Drenkow, seconded by Rathe to approve the Consent Calendar.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
- J. Regular Business.
1. Moved by Drenkow, seconded by Waldstein to approve First Reading of Ordinance 1035, an Ordinance providing for rezoning of property on the northwest corner of

39<sup>th</sup> Street SE and Viola Drive from R-4 (Multiple Family Residential) to R-2 (One and Two Family Residential) District and Setting May 7, 2018 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a Public Hearing.

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

- This is in the Rolling Hills addition east of Waverly. The screening is already in place and since the originally planned condominiums didn't materialize, rezoning the lot to R-2 to allow for single family homes is a good use for the land. This ordinance amendment follows the Future Land Use Map which will be changing it to R-2 in the future as well. Staff informed Council that due to the zoning ordinance amendment change has necessitated other ordinance changes in order to conform. If there aren't public objections, Council may agree to waive the Third Reading at the Second Reading.

2. Moved by Rathe, seconded by Waldstein to approve First Reading of Ordinance 1036, an Ordinance providing for rezoning of eight (8) lots within Omni Development First Addition subdivision on the northeast corner of 13<sup>th</sup> Avenue SW and 3<sup>rd</sup> Street SW from R-4 (Multiple Family Residential) to R-1 (One Residential) District and Setting May 7, 2018 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a Public Hearing.

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

- Initially, R-4 zoning would allow single families, but the City zoning ordinance amendment has removed single family homes from R-4 zoning districts. Therefore, it has been requested to rezone these lots to R-1 to allow for them.

3. Update from the Waverly Volunteer Firefighters Association regarding the 2018 Iowa Firefighter Association Convention.

- Fire Chief Dennis Happel informed the Council that they had previously met with City staff to review the information that is being presented to Council tonight. In addition, they had a neighborhood meeting two weeks ago with the residents from the area near the convention that will be held September 5-9. In 2017, their special event application was approved by Council. They will be coming back before Council to ask for a traffic control donation once they know where the competitions will be held and for their liquor license approval.

- Rob Edgar, chairman of the convention, presented the Council with maps showing some of the activities that will be taking place during the convention like golfing, bowling, craft show, and parade; the registration and campsite path; and the golf cart path. Golf carts will follow the City Code and will be required to be back at the campground by 7:00 pm. He also informed Council that they currently have approximately 1,300 campsites spoken for, and they will be hosting a community wide event on September 1<sup>st</sup> which will consist of bands as a thank-you to the community and for early arrivals.

- The Pheasants Forever area will be cleaned up after the convention and will be reseeded in the spring 2019.

4. Moved by Drenkow, seconded by McKenzie to approve Resolution 18-63, a Resolution accepting the Winter Tree Cutting- Cedar River Parkway Improvements project as complete and approving Pay Estimate No. 1 in the amount of \$22,500.00 as final pay request to Benton's Sand & Gravel of Cedar Falls, Iowa.

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

- Staff informed Council that the City is still researching the issues that have occurred with the Winter Tree Cutting and didn't feel it was appropriate to hold the

funds. If need be, the City can recoup the funds later. Baker was responsible for the disposal of the trees and wasn't a subcontractor of Benton's Sand & Gravel.

5. Moved by Birgen, seconded by Kangas to approve Resolution 18-64, a Resolution approving a CDBG Owner-Occupied Housing Rehabilitation Program Administrative Plan for 2018 for adopting standard rules and procedures for implementing the program.

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

6. Moved by Waldstein, seconded by Birgen to approve Resolution 18-65, a Resolution approving Contract, Bonds, and Certificate of Insurance from Fahrner Asphalt Sealers of Dubuque, Iowa for the Slurry Seal Program 2018 and authorizing the Mayor to sign the contract.

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

7. Moved by Rathe, seconded by Waldstein to approve Resolution 18-66, a Resolution approving Contract, Bonds, and Certificate of Insurance from Blacktop Service Co. of Humboldt, Iowa for the 2018 Bituminous Seal Coat Program and authorizing the Mayor to sign the contract.

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

8. Moved by McKenzie, seconded by Rathe to approve Resolution 18-67, a Resolution approving the payment of TIF rebates to be paid in this fiscal year (2017-18) for the following:

GMT Corporation	\$46,015.38
Carmi Flavor & Fragrance Co.	\$14,693.89
Waverly Hotel Group, LLC (H/M Tax)	\$60,739.56
Waverly Hotel Group, LLC (TIF)	\$48,571.00

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

- Concern was expressed by Council regarding rebates in the future given the recent state government changes. Staff informed Council that the taxes generated from these projects far exceeds the amount of rebate the City pays. Cobblestone came short with only 8.17 FTE units compared to the 9 FTE units as required in their agreement. Staff may work with them to see if that number should be adjusted for future years. As a whole, staff felt they were in substantial compliance to allow for 1/7 of the total to be paid this year. The rebate to Carmi Flavors is only for property tax rebates prorated based on the value of the property not for the one that didn't meet the requirements of creating jobs.

9. Moved by Waldstein, seconded by Drenkow to approve Resolution 18-68, a Resolution adopting the City of Waverly- City Council Rules of Procedure.

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

- Council felt that this was a great step forward, but requested to have it noted if similar language lived in the Waverly Municipal Code and the Iowa Code. Staff will remove the "or" in the last sentence in paragraph A section 1.10 on page 5. Council also approved of the process in section 2.16 regarding citizen complaints, grievances, and recommendations. Council felt that it is the responsibility of staff to bring this document back for review when there is a new Council. Staff will be bringing back the section on the Removal Procedures of Elected Officials as an ordinance for approval.

10. Moved by Drenkow, seconded by Birgen to approve First Reading of Ordinance 1037, an Ordinance Amending Chapter 100, Section 100.4.03.4 of the City Code governing residence allowances to be rebuilt in the R-2 (Residential), R-3 (Multiple Family Residential), and R-4 (Multiple Family Residential-Transitional) Districts.

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

- Current R-2 zoning does allow for single family homes to be built, but adding it into the section with R-3 and R-4 lessens confusion and takes care of any issues of plot size by grandfathering them in and allowing them to be rebuilt the way they were. Staff will ask to have the Third Reading waived at its Second Reading.
11. Moved by Kangas, seconded by Birgen to approve Third and Final Reading of Ordinance 1034, an Ordinance Amending Chapter 102 of the City Code providing for amendments to the current Flood Plain Management section.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
12. Planning Discussion for City Administrator's Performance Evaluation.
- Council discussed different options like working with the firm that they worked with during the hiring process to administer a survey and facilitate the review; internally generate and administer a survey; or discuss as a group. City Administrator Bronner formally requested to have an executive session for his review. Even though a few of the newer Councilmembers would prefer a facilitated approach, they would be fine with a more informal approach of keeping it in-house as long as it was structured and administered correctly. Due to timing, it may be difficult to try to tie the performance evaluation with strategic planning, especially, if they try to utilize Amperage's community branding results with strategic planning. Council agreed to include the directors in the evaluation. Councilmembers McKenzie, Waldstein, and Kangas will work together to create and administer the survey which might take 4-6 weeks.
13. Moved by Waldstein, seconded by Birgen to approve the following Mayoral Appointments:
- Kip Ladage is reappointed to the Upper Cedar Watershed Management Improvement Authority for a term ending May 2019.  
Ron Lenth is reappointed to the Upper Cedar Watershed Management Improvement Authority for a term ending May 2019.  
Stephen Main is reappointed to the Upper Cedar Watershed Management Improvement Authority for a term ending May 2019.  
Kathy Olson is reappointed to the Planning and Zoning Commission for a term ending May 2023.  
Richard Dane is reappointed to the Planning and Zoning Commission for a term ending May 2023.  
Carl Benning is replacing Ernie Brandt on the Civil Service Commission due to resignation for a term ending May 2021.  
James Perry is replacing Mark Lenius on the Library Board due to resignation for a term ending July 2024.  
Erin Jones is reappointed to the Library Board for a term ending July 2024.  
Ross Helgevold is reappointed to the Library Board for a term ending July 2024.  
Bob Juhl is replacing Vernon Gidley on the Board of Adjustments due to resignation for a term ending May 2023.  
Kris Brunkhorst is reappointed to the Historic Preservation Commission for a term ending June 2021.  
Mary Meyer is reappointed to the Historic Preservation Commission for a term ending June 2021.
- Motion passed. Yes: 6 No: 0 Absent: 1**
- The Upper Cedar Watershed Management Improvement Authority is different than the Hazard Mitigation Commission and does still meet.

K. Reports from Boards and Commissions

1. Planning and Zoning Commission Minutes; March 1, 2018; Received into record.
2. Bremer-Waverly Law Board Minutes; March 12, 2018; Received into record.
  - To help alleviate downtown parking issues with Bremer Avenue, the Law Board is allowing citizens to use their parking lot as a public parking lot and is still making allowances for Sub City.
3. Leisure Services Commission Minutes; March 15, 2018; Received into record.
4. Monthly Financials; March, 2018; Received into record.
5. Senior Calendar; April 2018; Received into record.
6. Bremer-Waverly Law Board Minutes; April 9, 2018; Received into record.

L. Staff Comments

- Leisure Services Director Tab Ray informed Council that 69 dogs and 100 people attended the Waverly Bark Park Easter Egg Hunt on April 8<sup>th</sup>, and they received their first pool chemical shipment today.
- City Attorney Bill Werger informed Council that starting Monday, April 30<sup>th</sup>, Bremer Avenue will close completely in both directions for work on the railroad tracks and the 12<sup>th</sup> Street NW intersection. Wilson Avenue will also be closed at the railroad tracks so the North detour traffic must use 5<sup>th</sup> Avenue NW. South detour traffic must use 2<sup>nd</sup> Avenue SW or 10<sup>th</sup> Avenue SW. This is expected to take 4 weeks to complete and hopefully, will be done by Memorial Day weekend. If it isn't done, the City will do what they can to help with signage for the commencement activities.

M. City Council Comments

- Staff informed Councilmember Birgen that Casey's traffic impact study for existing and proposed traffic conditions for all businesses opening up will be reviewed **within the next two (2) months** to see if timing and signal operations need to be changed for the intersection of 4<sup>th</sup> Street SW and 10<sup>th</sup> Avenue.
- Councilmember Drenkow reminded citizens that 1<sup>st</sup> Street SE is also the only intersection for pedestrians to cross from one side of Bremer Avenue to the other and to please use caution.
- Staff informed Councilmember Kangas that they are monitoring the Cedar River and the water level is lowering.
- Councilmember Waldstein found the Waverly Utilities brochure to be interesting and thought that it looked like we are doing well in regards to outages compared to other providers.
- Councilmember Rathe is appreciative that staff are planting trees to help replace all of the ones that are having to be removed along Bremer Avenue for construction. In addition, she recognized the Heritage Days committee as being a hard-working group, and they will be hosting a color run on Saturday, April 21<sup>st</sup>, as one of their main fundraisers.
- Staff informed Councilmember McKenzie that they will re-discuss with the DOT about the complete opening up of the 8<sup>th</sup> Street intersection on Bremer Avenue to traffic. Councilmember McKenzie also mentioned revisiting the possibility of having Bremer Avenue 3 lanes vs 4 lanes now that we know that Cedar River Parkway is moving forward. Other Councilmembers mentioned that they would be willing to readdress the issue again and would appreciate having the DOT come back to reacquaint them with some of the factors that led them to support a 3-lane road. Staff advised Council to perhaps this time to only look at the section east of the river for a 3-lane change since there seems to be more issues that will need to be addressed at the 4<sup>th</sup> Street intersection and 15<sup>th</sup> and 16<sup>th</sup> Street by the library.
- Guest Councilmember Stromberg has been enjoying attending the meetings and welcoming the Wartburg athletic teams and wanted to congratulate a couple of clubs from his

alma mater the University of Notre Dame women's basketball championship and hockey team's runner up finish. In addition, he has been impressed with the Council's deliberation process especially regarding the rezoning for Casey's.

N. Mayor's Comments

- Waverly Utilities is having a public meeting this Wednesday at 6:00 pm at City Hall to gain public feedback on their Solar Gardens, and Mayor Soash encouraged citizens to attend. He also had the honor to attend the Waverly Firefighter's awards banquet this past Saturday night in which he learned that eight members of Waverly's volunteer fire department went to LaPorte City to help search for the missing young man. He has also noticed additional police presence on the east side of Bremer Avenue as they help public figure out the construction changes. Mayor Soash thanked everyone for welcoming the Wartburg athletes.

O. Communications

- Staff received thank-you cards from Bremer County Food Pantry for the "Food Fight" donations and Iowa City's Parks and Recreation.

P. Moved by Waldstein, seconded by Rathe to adjourn. Motion passed and Council meeting adjourned at 8:45 P.M.      **Yes: 6      No: 0      Absent: 1**

---

Dean Soash, Mayor

ATTEST:

---

Valorie Northrup, Deputy City Clerk