

Regular Meeting Minutes – June 18, 2018
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on June 18, 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, McKenzie, Rathe, and Waldstein
Absent: Kangas and Sherer
- C. Moved by Waldstein, seconded by Drenkow to approve the agenda as presented.
Motion passed. Yes: 5 No: 0 Absent: 2
- D. Moved by Birgen, seconded by Drenkow to approve the June 4, 2018 regular meeting minutes as presented.
Motion passed. Yes: 5 No: 0 Absent: 2
- E. Public Comments on Items Not on the Agenda
• George Miller, owner of some of the property south of the buildings going up at 101 and 104 Cedar River Parkway, voiced his concerns about the continuous encroachment on his property by the contractors due to permits being granted with incorrect setbacks for construction.
- F. Consent Calendar
1. Pay Request from Modern Builders Inc. for the Waverly Municipal Airport Bulk Hangar Improvements 2017 for \$20,545.00.
2. Pay Request from T & W Grinding for the grinding of brush piles and leaves for \$15,600.00.
4. Cash disbursements for May, 2018.
Moved by Birgen, seconded by Waldstein to approve the Consent Calendar removing item #3 Set a Public Hearing to review the Citywide Sidewalk and Pedestrian Ramp Repairs 2018 project Plans, Specifications, Form of Contract, and Estimated Cost for July 16, 2018 at 7:00 P.M. in the Council Chambers at City Hall from the Calendar until a later date.
Motion passed. Yes: 5 No: 0 Absent: 2
- G. Regular Business.
1. Moved by McKenzie, seconded by Rathe to approve the List of Fiscal Year 2018 transfers.
Motion passed. Yes: 5 No: 0 Absent: 2
• The approval of transfer doesn't entail spending more money; this is the transferring of budgeted or Council discussed amounts that have been found needing to be allocated to other accounts.
2. Moved by Birgen, seconded by Waldstein to approve Resolution 18-89, a Resolution directing sale of \$11,000,000 General Obligation Bonds, Series 2018A.
Motion passed. Yes: 5 No: 0 Absent: 2

- Maggie Burger of Speer Financial reviewed the bond bids with Council. Three bids were received, and they recommended the low bid from Robert W. Baird & Co, Inc. of Milwaukee, WI at a 2.7491%. Bids ranged from 2.7491% to 2.9002%. Since these bonds are considered nonbanker qualified due to being over \$10 million in one calendar year, banks don't have every authority and right to purchase these bonds and wouldn't receive the Federal Government's benefits that goes along with purchasing these types of bonds. Therefore, having received only three bids was not a surprise. A premium of \$153,882.20 will also be paid to the City. The City has continued to hold the Aa3 Moody's rating. Factors that could lead to a rating downgrade would include reducing the reserve fund, not increasing the tax base or not having a healthy cash balance in the general fund. On June 1, 2025, there will be a call date as an optional redemption date for the opportunity to refinance, redeem in whole or in part, or to just leave as is. The closing date will be July 17, 2018.

3. Moved by Rathe, seconded by Birgen to approve Resolution 18-90, a Resolution directing sale of \$1,650,000 Water Revenue Bonds, Series 2018B.

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

- Ms. Burger informed the Council that there was an error on the letter and the bond amount is actually \$1,655,000. Cumulatively, this bond is also considered nonbanker qualified. Therefore, only two bids were received ranging from the low bid of 2.8131% to 3.2683% with Robert W. Baird & Co., Inc. of Milwaukee, WI having the low bid again. There will be a premium of \$15,370.90 paid to the City. The water revenue system was also rated by Moody's as an A1, and it was mentioned to keep the annual debt service coverage in place for future or additional borrowing. This bond also has a call date of June 1, 2025 which after that date, a 30-days' notice is required for redemption.

Moved by Rathe, seconded by Birgen to amend Resolution 18-90, to the corrected figure of \$1,655,000 Water Revenue Bonds, Series 2018B.

The original motion as amended was then voted on.

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

4. Moved by Drenkow, seconded by Rathe to approve Resolution 18-92, a Resolution approving the Professional Services Agreement with WHKS & Co. of Mason City, Iowa for services associated with the development of plans and specifications for the Adams Parkway Bridge Repair and Horton Road Improvements 2019 project for the not-to-exceed fee of \$38,400.00 including expenses.

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

- The Adams Parkway Bridge is 50 years old this year. The bridge has surface spalling and deteriorating bridge and joint approaches which the repairs have been delayed a year due to the Bremer Avenue Project. The first step of the repairs would entail milling the deck to help the new concrete to bond and to determine if a partial or full depth repair is needed. Since a milling machine and asphalt crew would be onsite for the bridge repairs, the timing would be opportune to complete a 1,300 linear feet repair project by Hines addition on Horton Road. This section was not part of the 2001 project and would increase the proposed costs from approximately \$350,000 to \$425,000. It was

recommended to keep the Horton Road Improvements in through the design process even though the design work would not be applicable at a later date. Fouad Daoud, President and CEO of WHKS & Co., informed the Council that last summer's bridge inspection underneath the bridge showed that the bridge should only need a partial depth repair instead of a full depth repair. The desired timeline for repairs would be April through early July in 2019 with the bridge being closed during that time.

5. Moved by McKenzie, seconded by Rathe to approve Resolution 18-91, a Resolution approving the Final Plat and Restrictive Covenants for the Re-Plat of Lot 15, Rolling Hills Second Addition for eight residential lots on Viola Drive in SE Waverly.

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

- Beau Buchholz representative of the two entities, Bengel Investments, LLC and Beechwood Investment Properties, LLC, who own this property and who are making this request informed the Council that Planning and Zoning approved the preliminary and final plat to mirror what currently exists in the Rolling Hills Second Addition instead of the condominium regime it was in. With the exception of a few items that were added to better define them as the developers, the Rolling Hills current restrictive covenants still apply to this area, and it is a private homeowner issue to enforce the covenants.

6. Moved by Rathe, seconded by Drenkow to approve Resolution 18-93, a Resolution accepting the Sanitary Sewer Manhole Rehabilitation 2018 project as complete and approving Pay Estimate No. 1 in the amount of \$21,531.70 as final pay request to Josh's Construction of Dubuque, Iowa.

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

7. Moved by Waldstein, seconded by Rathe to approve Resolution 18-94, a Resolution adopting Financial Policies for the City of Waverly.

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

- Previously, the City has had an investment policy, but this policy is more inclusive and will be a written resource for referencing. Other cities were researched for the creation of this policy which will be considered a working policy to be reviewed annually for changes. The Leisure Services Foundation and Quasi Foundation trusts wouldn't fall under the Investment Section of this policy.

8. Moved by Rathe, seconded by Birgen to approve Resolution 18-95, a Resolution authorizing acquisition of temporary construction easement and resolving liability claim with Michael Loughead for the Cedar River Parkway (East) project for the sum of \$10,000.00.

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

- The original engineering documents showed that an additional 10 feet was needed on both sides of the 40-foot permanent easement, but when the documents came to acquire the property, it wasn't included in the acquisitions. Even though we were told the additional footage wasn't needed, it stayed in the project plans causing additional trees to be cut down. The City and Stanley Construction are each paying \$5,000.00 for the after-the-fact additional easement and an additional \$5,000 for damages.

9. Moved by Birgen, seconded by Waldstein to approve the Second Reading of Ordinance 1047, an Ordinance amending Section 105.3.01, Speed Restrictions, of the Waverly Municipal Code.

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

10. Moved by Drenkow, seconded by Birgen to approve the Third and Final Reading of Ordinance 1046, an Ordinance amending Section 100.4, of the Waverly Municipal Code providing for addition of Section 100.4.14, Conversion to Condominium or Multiple Family Housing Cooperative.

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

11. Moved by Waldstein, seconded by Birgen to approve the Mayoral Appointments reappointing Brittney Diercks and Deb Schroeder to the Economic Development Commission for terms ending July 2021.

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

H. Reports from Boards and Commissions

1. Monthly Financials; May, 2018; Received into record.

- Not all of the Local Option Sales Tax (LOST) dollars has been collected yet, and we are anticipating another payment to come in.

2. Bremer-Waverly Law Board Minutes; May 14, 2018; Received into record.

3. Senior Calendar; June, 2018; Received into record.

I. Staff Comments

- Leisure Services Director Tab Ray announced that there will be a swim meet this Saturday morning at the Waverly Municipal pool. In addition, this Friday, Saturday, and Sunday, the fairgrounds will be hosting for the second time the Waterloo Kennel Club's AKC dog show with at least 500 dogs and their handlers that is open to the public.

J. City Council Comments

- Councilmember Birgen reminded the public of the City's new fireworks ordinance which allows fireworks to be used in the City starting on June 25th from noon – 10:00 pm.

- Councilmember Waldstein thanked City staff for their work with Speer Financial and Moody's.

- Councilmember Rathe acknowledged the hard work Heritage Days volunteers put forth and encouraged public to help out with some of the items that they will be listing on their website. It's a big event and will be starting July 19th.

- Staff informed Councilmember McKenzie that the fluctuating river level hasn't impacted the Cedar River Parkway bridge work. They are able to schedule work in stages so they have backup work they can work on.

K. Mayor's Comments

- Mayor Soash noted Councilmember Birgen's comment regarding the fireworks. In addition, he reminded the public to be sure to review their Waverly Utility bills to make sure that they follow the instructions as the automatic payments won't take affect until next month. Staff informed Mayor Soash that the drop box at City Hall will be moved next to the building so it can only be used for City Hall purposes such as returning keys or Pro Shop communications. There will be a utility bill drop box at Waverly Utilities.

L. Executive Session

1. Moved by Waldstein, seconded by Rathe to enter into Executive Session to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

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

Moved by Waldstein, seconded by Rathe to re-enter into open session.

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

M. Moved by Birgen, seconded by McKenzie to adjourn. Motion passed and Council meeting adjourned at 9:17 P.M. **Yes: 5 No: 0 Absent: 2**

Dean Soash, Mayor

ATTEST:

Valorie Northrup, City Clerk