

Regular Meeting Minutes – October 15, 2018  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on October 15, 2018 at 7:00 P. M. at City Hall. Mayor Soash presided.

- A. Mayor Soash called the meeting to order.
- B. Roll Call
1. Birgen, Drenkow, McKenzie, Rathe, and Waldstein were present.  
Kangas and Sherer were absent.  
Mayor Soash recognized a group of students that were in attendance.
- C. Moved by Waldstein, seconded by Birgen to approve the agenda as presented.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- D. Moved by Waldstein, seconded by Rathe to approve the September 24, 2018 study session minutes and October 1, 2018 regular meeting minutes.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- E. Public Hearing
1. This was the date, time and place for a public hearing pursuant to Iowa Code Section 364.7 on the FBO Agreement with Swieter Aircraft Services, Inc.
    - **There were no oral or written public comments.****The public hearing was then closed.**  
Moved Birgen, seconded by Drenkow to approve Resolution 18-151, a Resolution approving the lease provisions within the previously approved Airport Fixed-Base Operator (FBO) Agreement for the Waverly Municipal Airport.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- F. Public Comments on Items Not on the Agenda
- Matthew Schneider announced the formation of “Keep the U.S. moving”, co-founded by Matthew Schneider and John Russo of Playa del Rey, Los Angeles, California, in an effort to stop the road diets. Mr. Schneider added that there is a video that was shared on the “Waverly Town Hall” Facebook page that shows children being dropped off at school. He shared his opinion that bicycle lanes should be kept on safer streets. Mr. Schneider shared data from his research and noted that data from studies seem to be all over the place.
- G. Consent Calendar
1. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway (East) Improvements 2018 for the amount of \$39,609.61.
  2. Class C Liquor License for The Beach House.
  3. Class E Liquor License for Fareway Stores, Inc. #561.
  4. Temporary Premise Location for Wartburg College’s Special Class C Liquor License.
  5. Cash Disbursements for September, 2018.
- Moved by Birgen, seconded by Drenkow to approve the Consent Calendar.  
**Motion passed. Yes: 5 No: 0 Absent: 2**
- H. Regular Business
1. Moved by Waldstein, seconded by Rathe to approve the purchase of a 2019 pumper fire truck from Reliant Fire Apparatus of Slinger, WI for the Waverly Fire Department within 120 days for the \$3,089 discount for a final cost \$413,818.00 which includes a not to exceed amount of \$10,000 for additional loose equipment with all expenses being split 50% City and 50% Rural Fire Board.  
**Motion passed. Yes: 5 No: 0 Absent: 2**

- Waverly Volunteer Fire Chief Informed Council that the Rural Fire Board approved the purchase of 50% of the 2019 pumper fire truck. The new truck will replace a 1989 (30 years old) pumper fire truck. The old truck will be sold in compliance with the City's policy for Disposal of City Non-Real Estate Property. 120 days before the apparatus is received the chassis will need to be paid for. This unit came in under budget.
2. Moved by Drenkow, seconded by McKenzie to approve Resolution 18-144, a Resolution to fix a date of November 19, 2018 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a public hearing on the proposal to issue Hospital Revenue Bonds or Notes, in one or more series, in a principal amount not to exceed \$37,000,000 for the purpose of financing capital improvement projects for the benefit for Waverly Health Center.

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

- City Administrator James Bronner explained that the Waverly Health Center is an agency of the City. However, the health center does operate under its own board that is elected by the people of Waverly. Since the amount of bonds being approved will affect the bonding capacity for the City, it is necessary for Council to approve the bonds. Any bonding done in a year that is over the amount of \$10,000,000 also impacts the bank qualification. This process does not affect the City's bonding capacity since they are revenue bonds and are for the hospital. This also will not impact the bond rating for the City. Waverly Health Center CEO explained that even though the health center needs permission from the City, there is no extension of liability back onto the City, and if the hospital defaults, they can only go after the hospital assets. The \$37,000,000 is what the loan was from the USDA, and they are asking for construction loans in the same amount. The current emergency room was built in 1964, and there will be \$2 million in upgrades completed outside of the project. The USDA construction loan will be paid with a 3% interest rate for a 40-year loan and will, hopefully, be able to pay off the loan quicker or use the money for Phase II of the construction.
3. Moved by McKenzie, seconded by Rathe to approve Resolution 18-145, a Resolution Setting October 22, 2018 at 8:00 A.M. in the Council Chambers of City Hall as the date, time, and place for the Consultation with Taxing Authorities and Setting November 19, 2018 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a Public Hearing on a proposed Amendment No.3 to the Waverly Unified Urban Renewal Plan in the City of Waverly, State of Iowa.

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

- This Urban Renewal Plan amendment is being proposed for several purposes including adding property, removing property, and adding and updating projects. This resolution sets a date for consultation with Bremer County and Waverly-Shell Rock School District. It is common for property to be removed from a plan and then, put that same property back into the plan. This process is done in order to receive the full 20-year benefits of the plan. Properties that are within the plan can use Tax Increment Financing Fund (TIFF). In order for an entity to capture the TIFF, an ordinance has to be passed by Council approving these funds to be used for a proposed project. The funds are not guaranteed. There has to be an agreed upon development agreement between the developer and the City.
4. Moved by Drenkow, seconded by Birgen to approve Resolution 18-146, a Resolution approving an amendment to the Development Agreement approved in Resolution 14-100 between the Waverly Hotel Group, LLC and the City of Waverly to reduce the required number of average full-time employee equivalents from 9 to 8 to qualify for tax rebates.

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

- The original agreement was for economic development, however, what was being incentivized was the downtown development and the creation of some employee positions without the employment positions being the main interest. The owners feel pretty good about being held to 8 FTE's.

5. Moved by Waldstein, seconded by Birgen to approve Resolution 18-147, a Resolution approving an agreement with Pit Pros, Inc. of Swea City, Iowa for the hauling, incorporation and/or application of treated bio-solids (sludge) from the City's Water Pollution Control Facility for the fee of \$0.0425 per gallon for an estimated cost of \$25,500.00 and authorizing the Director of Public Works to approve additional services to clean the sludge storage tank.

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

6. Moved by Rathe, seconded by Birgen to approve Resolution 18-148, a Resolution accepting the public infrastructure of the sanitary sewer main installation for the Omni Lot 40 Development.

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

- The Omni Lot 40 Development is located near the southeast quadrant of the intersection of 4<sup>th</sup> Street SW & Cedar River Parkway. The Omni First Addition in 2016 was for 27 lots and extended 1<sup>st</sup> Street SE from the Cedar River Parkway south to the Stone Haven Subdivision. The Omni Second Addition was for 8 lots and extended a shared private drive east-northeast from the intersection of 13<sup>th</sup> Avenue & 3<sup>rd</sup> Street SW. Artesian Earthworks of Waverly, Iowa has completed the public infrastructure for the Omni Lot 40 Development. Public improvements encompassed the installation of sanitary sewer main. The main is in place and is working, and it does not relate to the public sanitary sewer.

7. Moved by Birgen, seconded by McKenzie to approve Resolution 18-149, a Resolution approving a minor subdivision to eliminate a portion of the platted right-of-way of Tagalong Trail and to adjust the lot lines of Lots 133 and 134 of Centennial Oaks Golf Club Addition.

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

- In 1999, the City Council approved Centennial Oaks Golf Club Subdivision with a 5-phase plan for the installation of public infrastructure. In recent months, City staff was made aware that someone has purchased the two parcels to the north of this development and plans to construct a large home. Because the proposed home location is very close to where the stubbed road from the Tagalong Trail development is planned and the property owner is in control of parcels that have access along 11<sup>th</sup> Street SE, the City gave the option to the developer to eliminate the stubbed street and complete the cul-de-sac. City staff is in the opinion that the current proposal of a minor subdivision seems reasonable. The parties involved are not in favor of attaching the two cul-de-sacs. The water main connects the two cul-de-sacs so there is a looped watermain system that serves both cul-de-sacs. A mandatory sidewalk also connects the two cul-de-sacs.

8. Moved by Rathe, seconded by Birgen to approve Resolution 18-152, a Resolution approving a contract amendment for additional tree removal by Crystal Heating and Plumbing of Waverly, Iowa for the cost of \$28,750.00 for the South Riverside Park Improvement Project Phase I.

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

- An opportunity has presented itself to remove the vegetation along the riverbank east of the old Classic Cleaners building site. The City has a contractor presently

removing vegetation along the riverbank in South Riverside Park and would like to amend the contract with them to include this vegetation removal as well. The current owners of the old Classic Cleaners site are agreeing to allow access to the City to remove and beautify the riverbank east of the property opening up views and making the river more accessible. There have been a lot of trees removed in Waverly recently. The City and Trees Forever have planted at least 97 trees within the City over the course of the recent six months. There are three certified pesticide applicators on City staff that specialize in aquatic pesticides so the re-growth will be able to be managed. The stumps will also be left in the ground in an effort to help stabilize the riverbank. City staff will be removing the trees south of where the building was taken down in South Riverside Park.

- I. Reports from Boards and Commissions
  1. Planning and Zoning Commission Minutes; August 2, 2018; Received into record.
  2. Economic Development Commission Minutes; August 14, 2018; Received into record.
  3. Senior Calendar; October 2018; Received into record.
- J. Staff Comments
  - There were none.
- K. City Council Comments
  - Staff informed Guest Councilmember Kris Meyer that clearing trees and brush in order to finish off the playground at St. Paul's Lutheran Church and School is fine as long as it is property owned by the church and school.
  - Councilmember Waldstein reminded everyone that it is Wartburg College's homecoming this weekend and that there are a lot of activities scheduled for the entire public to participate in.
  - Councilmember Birgen noted that he would be going to the Beach House bar after the meeting and invited public if they would like to take the opportunity to chat. He encouraged folks to get out and vote early in the upcoming elections. Staff informed Mr. Birgen the hole at Cedar Lane and 2<sup>nd</sup> Avenue NE is filled in. The sewer is fixed, and the company ordered and delivered more pipe than was needed which will be picked up at a later date. There will be an asphalt patch done over the repair site as part of the Citywide 2018 asphalt patching project which should be done by October 26.
- L. Mayor's Comments
  - The Rail Trail is now open at the underpass at the Cedar River Parkway project. Bremer Avenue project is coming along.
- M. Moved by Waldstein, seconded by Birgen to adjourn the meeting. Motion passed and the Council meeting adjourned at 8:23 P.M.  
**Yes: 5 No: 0 Absent: 2**

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Dean Soash, Mayor

ATTEST:

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Carla Guyer, City Clerk

