

Regular Meeting Minutes – June 4, 2018
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on June 4, 2018 at 7:00 P. M. at City Hall. Mayor Soash presided.

- A. Mayor Soash called the meeting to order.
- B. Roll Call
- Birgen, Drenkow, Kangas, McKenzie, Rathe, Sherer, and Waldstein were present.
- C. Mayor Soash led in the Pledge of Allegiance
- D. Moved by Drenkow, seconded by Kangas to approve the agenda as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- E. Moved by Drenkow, seconded by Birgen to approve the May 7, 2018 regular meeting minutes and the May 21, 2018 study session minutes.as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- F. Mayor and Council welcomed Megan Hoing as Guest Councilperson for June.
- G. Public Hearing
1. This was the date, time and place for a public hearing on 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.
 - There were no oral or written public comments.
 - **The hearing was then closed.**Moved by Drenkow, seconded by Birgen to approve Second 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: 7 No: 0 Absent: 0
- H. Public Comments on Items Not on the Agenda
- There were none.
- I. Consent Calendar
1. Pay Request from McClure Engineering Co. for the Waverly Municipal Airport Runway 29 Extension 2018 for \$1,620.75.
 2. Pay Request from Cramer and Associates, Inc. for the Cedar River Parkway (East) Improvements 2018 for \$136,342.53.
 3. Pay Request from Stanley Consultants Inc. for the Cedar River Parkway (East) Improvements 2018 for \$80,417.30.
 4. Pay Request from Barry Smith Grading & Excavating for the Downtown Alley Reconstruction 2018 for \$29,599.53.
 5. Approve the purchase of Civic Center sound upgrades from Maximum SS of Waterloo, Iowa for \$15,160.50.
 6. Class B Beer License for Bremer County Fair Association.
 7. Cigarette/Tobacco/Nicotine/Vapor Permit for:

<i>Casey's General Store #1649</i>	<i>Prairie Links Golf & Event Center</i>
<i>Fareway Stores, Inc. #561</i>	<i>Walgreens</i>
<i>Hy-Vee</i>	<i>Wal-Mart</i>
<i>Kwik Star #286, #707 & #752</i>	<i>Waverly Golf & Country Club</i>
<i>Liquor & Tobacco Outlet</i>	

Moved by Rathe, seconded by Waldstein to approve the Consent Calendar.
Motion passed. Yes: 7 No: 0 Absent: 0

J. Regular Business.

1. Moved by Drenkow, seconded by Waldstein to approve Resolution 18-79, Directing the advertisement for sale of \$11,000,000 (dollar amount subject to change) General Obligation Bonds, Series 2018A, and approving electronic bidding procedures and official statement.

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

- When bonds are sold, an official statement is created that includes the entire audit, a history of some of the economic issues with the City, and how the City is doing financially to help potential bidders get an idea of what we are looking at and how strong the City is. The City will get our bond rating and sell our first bond on June 18th. This is the first of the steps in getting a bond sold. With the market being very volatile, it's difficult to predict the interest rate ahead of time, but it is believed that the City will secure a good interest rate.

2. Moved by Birgen, seconded by Drenkow to approve Resolution 18-80, Directing the advertisement for sale of \$1,665,000 (dollar amount subject to change) Water Revenue Bonds, Series 2018B, and approving electronic bidding procedures and official statement.

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

- This has the same procedures as the \$11,000,000 General Obligation bonds, but this is for the water bond portion of the Bremer Avenue project.

3. Moved by Sherer, seconded by Rathe to approve Resolution 18-81, Approving the Support and Financial Commitment from the City of Waverly for the Main Street Program in Waverly, Iowa.

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

- Waverly Chamber of Commerce's 2018 Board Chair Heidi Solheim and Executive Director of the Waverly Chamber of Commerce and Main Street Program Travis Toliver provided the Council with some background information of the program and how Waverly has benefited as a community from this. Waverly has been a member since 1989, and there are 54 communities throughout the state that are involved in the Main Street Iowa program. It focuses on four main points: economic vitality, organization, promotion, and design. Since 1989, 105 businesses have started, relocated or expanded into the Main Street district which spans from 7th Street NW to 7th Street NE and one or two blocks north and south of Bremer Avenue. The program has also helped to create an estimate of 281 net jobs, 536 building projects, \$23.7 million of private investment into the downtown district, the sale of 78 properties and approximately \$7 million of private funds for those purchases, and 90,000 volunteer hours have been contributed to the community. Main Street Iowa is changing the length of terms from a 24 month to 18 month and finally, it will have a 12-month term. Waverly was one of the first communities to combine the Main Street program with the Chamber of Commerce by merging the two in 1994. It is believed that the Main Street district was created when Waverly first became a member and has possibly been revised a couple of times since then and can be relooked at again by working with Des Moines. With the countrywide trend of revitalizing urban spaces and Waverly being a very attractive and diverse community, has helped keep and attract downtown businesses. The Business Development committee led by Matt Lamos have also taken a proactive approach by meeting with businesses. They have determined that what works downtown works throughout and try to spread the information and tools that they have to service the entire community not just the downtown district. In 2016, they did a

market analysis with Main Street Iowa with a survey to see what was missing downtown and the top three items were a coffee shop/bakery, specialty food, and women's apparel which have now or soon will be added. Currently, there is 18 full upper story living units which have brought a good economic impact to the community.

4. Moved by Rathe, seconded by Waldstein to approve Resolution 18-82, Approving a five (5) year Billing Services Contract to begin July 1, 2018 with Waverly Utilities for services related to the billing for water, sewer, and solid waste for the estimated costs as set forth in Exhibit A of the Resolution.

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

- The agreement and costs were what they had predicted with minimal incremental increases each year. It is anticipated that it will cost the City less to go with this agreement rather than keep services as is.

5. Moved by Birgen, seconded by Rathe to approve Resolution 18-83, Authorizing acquisition of real property and a temporary construction easement for the Cedar River Parkway (East) project.

Acquisition for the following location:

Artesian Earthworks' property of Parcel 1 at 2504 E. Bremer Avenue for \$150,000.00 and condemnation and closing costs of \$12,255.46.

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

- The City's appraisal was \$110,000 with the final offer of \$125,000. The value amount was difficult to determine as the Parkway restricted the access to their loading dock on that side so part of the value was in determining the damages. The temporary construction easement is on the outskirts of their property and is for grading purposes for the project. With the grantors being very willing to sell, they are able to quicken up the process now that a value amount has been agreed upon by both parties.

6. Moved by Kangas, seconded by McKenzie to approve Resolution 18-84, Authorizing acquisition of real properties and temporary construction easements for the 20th Street NW Phase 1A Railroad Crossing Road Improvements project.

Acquisition for the following locations:

George A. Max and Marilyn Max's property at 1209 20th Street NW for \$7,406.00 and closing costs

Bartels Lutheran Home's property adjacent to Eisenach Village for no monetary consideration and closing costs

Wartburg College's parcel of property between the railroad tracks that provides access to their athletic grounds for no monetary consideration and closing costs

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

- The Max's property is north and west of the road and is past the limits of this section, but it would have to be acquired in the future for the other sections. The Bartels area north of the railroad was already reserved when they did the Eisenach Village project and this right of way is for the part south of the railroad and an additional 17 feet. The small portion of Wartburg's property will be rebuilt with a drive onto the street.

7. Moved by Drenkow, seconded by Kangas to approve Resolution 18-85, Approving Contract, Bonds, Certificate of Insurance and Change Order No. 1 to remove Bid Item 1.06, Joint Utility Duct Bank, for a decrease of \$183,280.00 from the original contract from Croell, Inc. of New Hampton, Iowa for the Railroad Crossing Improvements at 20th Street NW and 5th Avenue NW- 2018 and authorizing the Mayor to sign the contract.

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

- The Joint Utility Duct Bank was in the initial design for a future-use utility conduit below the railroad tracks as an investment for the City and Waverly Utilities. When the bid came in substantially higher at \$183,000 instead of the initial estimated cost of \$35,000, it was determined that if there was a compelling need in the future, they would do it in the future. The depth, the casing and reinforcing, and availability of the subcontractor may have had a play in causing the increase.

8. Moved by Rathe, seconded by Birgen to approve Resolution 18-86, Approving the Railroad Agreement/License for Multi-Use Pathway/Sidewalk for the 20th Street NW Reconstruction with Cedar River Railroad Company of Homewood, Illinois for the payment of a \$1,000.00 licensing fee.

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

- This is similar to the previous meeting in which the City pays a \$1,000 fee to have them verify and approve the City to maintain it.

9. Moved by Drenkow, seconded by Waldstein to approve Resolution 18-87, Approving the Construction and Maintenance Agreement for the 20th Street NW Reconstruction with Cedar River Railroad Company of Homewood, Illinois.

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

10. Moved by Waldstein, seconded by Birgen to approve Resolution 18-88, Accepting the Citywide Asphalt Patching- Spring 2018 project as complete and approving Pay Estimate No. 1 in the amount of \$29,362.85 as final pay request to Blacktop Service Co. of Humboldt, Iowa.

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

- The bulk of the patching is due to water main breaks with approximately 15 utility patches. A little less than half of the cost also went to maintenance of the rail trail. City crews are able to prep the roads for the patching and are able to patch small areas themselves. In areas needing more substantial work, the option is to do a pavement removal and replacement or to try to do some leveling. 6th Street from Bremer Avenue to 5th Avenue will probably be a rebuild and would need to be funded. Street replacement will be a good discussion topic during strategic planning.

11. Moved by McKenzie, seconded by Rathe to approve the First Reading of Ordinance 1047, an Ordinance amending Section 105.3.01, Speed Restrictions, of the Waverly Municipal Code.

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

- Staff added some speed limits for new streets and removed speed limits that no longer applied like the 20-mph business speed zone. The section was also reorganized by speed limits to make it more user friendly. It was requested by Council for staff to provide a map highlighting the different speed zones. In the future, they may look at changing certain speed limits if studies show that they aren't adequately assigned.

12. Moved by Waldstein, seconded by Rathe to approve the First Reading of Ordinance 1048, an Ordinance amending Section 105.4.09, Handicap Parking and Section 105.4.10, Additional Parking Restrictions of the Waverly Municipal Code.

- It was requested by Council for staff to provide a map showing parking changes.
- Councilmember Drenkow noted that even though the current code lists a handicap spot in Section 105.4.09 item #5 under General Street Parking, there currently isn't a handicap spot there. In addition, in Section 105.4.10 item #35, he questioned

the reasoning for the truck parking restriction for that section as there currently isn't any indication that this area has no parking.

Moved by Drenkow, seconded by Birgen to amend Ordinance 1048 by removing “#5 On the East side of 2nd Street SW forty-five feet south of the curb line of West Bremer Avenue” from Section 105.4.09 1. Street Parking/a. General and removing “#35.

Bremer Avenue. It shall be unlawful to park or leave unattended any truck on the north side of Bremer Avenue between 6th Street NW and 7th Street NW a truck is defined as a motor vehicle licensed for a load carrying one ton or more. It shall be unlawful to park any vehicle on the North side of Bremer Avenue for a distance extending 168 feet east from 7th Street NW” from section 105.4.10 Additional Parking Restrictions.

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

The original motion as amended was then voted on.

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

- For safety reasons, Bremer Avenue's downtown handicap parking is designated as the first parking spots on the side streets so the pedestrian ramps can be utilized.

13. Moved by Sherer, seconded by Kangas to approve the Third and Final Reading of Ordinance 1045, an Ordinance amending Chapter 7 by adding Section 7.8 Elected Officials- Removal Procedures to the Waverly Municipal Code.

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

K. Reports from Boards and Commissions

1. Board of Adjustment Minutes; September 11, 2017; Received into record.
2. Airport Commission Minutes ; April 12, 2018; Received into record.
 - Councilmember Waldstein requested for the various commission minutes to list the Council liaisons in the minutes for accountability and research ability purposes.

L. Staff Comments

- City Attorney Bill Werger informed Council that progress is being made with the CUNA building and it is anticipated that the office demolition will be starting soon. The West Bremer Avenue changeover at the railroad tracks began today. The initial plan was very confusing so WHKS met with the IDOT and have decided to keep the area closed until the project is complete. With the closure in place, the project should take less time. All of the affected businesses will still have accessibility for their customers.
- Leisure Services Director Tab Ray announced that June 5th will be the first Tuesday night for the Waverly's Farmer's Market at the South Riverside Park location. This Saturday will be the annual emergency drill at the swimming pool which involves the police, dispatch, and EMS. With school out, the pool is on it's regular schedule. On June 1st, Parks staff and a company representative started building the Rolling Hills playground east of town. They continued building Saturday morning with 8 neighborhood volunteers and plan on pouring concrete for it on Wednesday.

M. City Council Comments

- Councilmember Rathe thanked the staff for how nice the cemetery looked for the Veterans tribute. Staff also informed Rathe that they will see why there was a large flag missing from the pole.
- Councilmember Birgen reminded public that tomorrow will be Primary Election day. Staff informed Birgen that they weren't aware of an issue with the storing of election items and will be looking into this. He also stated that the Green Bridge has been added to the National Registry of Historic Places so now there will be record with pictures and documentation preserving the memory of it.

- Councilmember Sherer reminded public of new law and they are to bring along identification proving who they are to the election sites.
- Councilmember Kangas encouraged the public to take advantage of all of the recreation possibilities we have outdoors that the staff does an excellent job of keeping up and to be careful of the kids out there too.

N. Mayor's Comments

- Mayor Soash thanked the Police Department and the Public Works employees for the quick action of getting sand spread in the oil spots that were created from the heat and construction equipment on First Avenue around 9th Street. He also thanked the citizens and public employees that have been interviewed by Amperage. With school being out and the pool open, he also cautioned citizens to take special attention to the pedestrian crossing at 5th Avenue SW.

O. Moved by Rathe, seconded by Birgen to adjourn. Motion passed and Council meeting adjourned at 8:23 P.M. **Yes: 7 No: 0 Absent: 0**

Dean Soash, Mayor

ATTEST:

Valorie Northrup, Deputy City Clerk