

Regular Meeting Minutes – August 20, 2018  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on August 20, 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, Sherer, and Waldstein  
Absent: None
- C. Moved by Waldstein, seconded by Kangas to approval the agenda as presented.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- D. Council welcomed Ann Seggerman as the Guest Council Person for August.
- E. City Staff Introductions
- Rachel Leitz introduced herself as Waverly’s new Zoning Administrator/Code Enforcement Officer.
  - Abby Miller introduced herself as Waverly’s new Human Resources Manager.
- F. Public Comments on Items Not on the Agenda
- William Ranney, Carolina Wilson, and Barb Lutz, all expressed gratitude to the Council for choosing to complete the Hwy. 3/Bremer Avenue Reconstruction with a 3-lane concept.
  - Calvin Corson and Matthew Schneider each expressed disappointment that Council did not choose to complete the Hwy. 3/Bremer Avenue Reconstruction with a 4-lane concept.
  - Jim Atty expressed gratitude to the Council for their diligence in studying the Hwy. 3/Bremer Avenue Reconstruction and for being thorough in listening to business owners, citizens, and emergency response when trying to decide what they felt was right for the community.
  - Heidi Solheim expressed her concern on how citizens within the community treat one another and gratitude to the Council for the time they give up from their occupations, families and personal lives.
- G. Consent Calendar
1. Pay Request from Cramer and Associates, Inc. for the Cedar River Parkway (East) Improvements 2018 for \$571,243.61.
  2. Pay Request from Hawkins, Inc. for the updating and replacing of Well House Equipment for the Water Department for \$16,219.74.
  3. Class B Liquor License for Red Fox Renaissance Inc.
  4. Cash disbursements for July, 2018.
- Moved by Birgen, seconded by Drenkow to approve the Consent Calendar.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- H. Regular Business
1. Moved by Drenkow, seconded by Birgen to approve Resolution 18-121, a Resolution approving Monetary Support in the amount of a one-time contribution

of \$5,000.00 from the City of Waverly to the Waverly Volunteer Fire Association with hosting the 2018 Iowa Firemen's Association Annual Convention.

**Motion passed.**

**Yes: 6 No: 0 Absent: 0 Abstain: 1 (McKenzie)**

- Waverly Volunteer Fire Chief Dennis Happel spoke while representing the Waverly Fire Fighters Association. Mr. Happel reviewed that two years ago the City contributed \$7,700 including: street closures and other traffic control, delivery of mulch, applicable sanitary fees, costs associated with personnel, and overall support. This year the Association is asking for a one-time contribution of \$5,000 to assist with the aforesaid expenses.

- The reason for the decrease in the amount requested is since the Fire Fighters' Association Convention is able to use the same grounds as the event two years ago, there are some monetary savings. The proposed budget fund does not have adequate funding for this request and would need an amendment. Council discussed whether this particular request follows a policy set at the April 6, 1998 City Council meeting. It refers to, "funds may be allocated by the City Council in the annual budget to those organizations which are directly involved in City activities... funds may also be allocated to groups created by Council Resolution. No other non-profit or private group shall receive funds from the City budget." The Boards, Commissions, and Committees that currently receive funding from the City currently have a Council liaison appointed to those groups. There is no presence of Council for the Fire Association. The City includes the Fire Department in the annual budgeting process. These two things make this request a little harder to decipher whether it is City related or simply related to the non-profit fire association only. There is transparency with revenues and expenditures with other organizations that the City contributes to which seems to not be the case with this organization. This is very common with fire associations. The fire department does good work; however, it is evident that this topic needs to be clarified for future budget discussions. The City did not contribute to the Gentlemen of the Road event or the RAGBRAI events. All City expenditures were billed back to those organizations. This would be a one-time event rather than periodic.

2. Moved by Waldstein, seconded by McKenzie to approve Resolution approving a plat of survey creating Parcels HH and II in Parcel CC and Parcels CC and DD in Parcel T on the 12<sup>th</sup> Street SE adjacent to the Cedar River Parkway for Renae Loy.

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

- Zoning Administrator/Code Enforcement Officer Rachel Leitz explained that property owner Renae Loy owns two adjacent parcels. Ms. Loy would like to separate her homestead from the rest of her land. The county section line is also the property line. Parcels in separate sections cannot be combined so the plat of survey will be comprised of four parcels instead of the two. Loy will keep the newly created parcels as her homestead and transfer the rest to the Bakers who own property to the north. The parcels transferred to the Bakers will remain zoned agricultural. The parcels remaining in the name of Loy will be required to be re-zoned as residential (R-1).

- Ms. Leitz confirmed that she would check that lot lines would not infringe on setbacks for Pete Lampe.
  - Council was grateful for the explanation of the parcels.
3. Moved by Sherer, seconded by Rathe to approve Resolution 18-123, a Resolution authorizing acquisition of real property from Shelley Lein in the amount of \$20,348.35 and expenses of sale for the 20<sup>th</sup> Street NW Phase 1A Railroad Crossing Road Improvements Project.
- Motion passed. Yes: 7 No: 0 Absent: 0**
- The City has negotiated the purchase of property owned by Shelley Lein for the sum of \$20,348.35 and expenses of sale. Consideration is given to the proximity of infrastructure and availability to readily develop the property, i.e. is it frontage or towards the back. This is frontage along the roadway. This does reflect a fair value given its location.
4. Moved by Rathe, seconded by Birgen to approve Resolution 18-124, a Resolution approving Wartburg College's Cable Access Channel Operations and Production Agreement commencing September 1, 2018 and ending on August 31, 2021 for the anticipated expenditure of \$27,000.00 per year.
- Motion passed.**
- Yes: 6 No: 0 Absent: 0 Abstain: 1 (Waldstein)**
- Wartburg College is proposing to assign the meeting production to two of their profession staff including the experienced technician and TV production specialist to produce the public cablecast meetings. The City would pay Wartburg College \$18,000 to produce the meetings, get them streamed on the internet, add them to You Tube storage, and put messages on the message carousel. In addition, the City would pay Wartburg College \$9,000 to provide professional consultation for updates to software, hardware upgrades, and supervision of installation of the new items. Professional services are needed now more than before due to the number of meetings and the increasing amount of technology being done. This agreement would be \$5,000 more than the amount budgeted; however, staff feels the amount of franchise taxes will cover the amount.
  - If more meetings are required than what is contracted for, it is likely that Wartburg College would negotiate costs. There are a few extra meetings within the proposed agreement. The contract does allow for negotiating if either party has changes within the contract time frame. Expanding programming to churches, sporting goods, etc. is not included in this contract due to time constraints of both parties.
5. Moved by Birgen, seconded by Kangas to approve Resolution 18-125, a Resolution approving to amend and adopt the new Harlington Cemetery Rules and Regulations.
- Motion passed. Yes: 7 No: 0 Absent: 0**
- The City has not updated the rules for the Harlington Cemetery since, at least, 1910. Traditional cemetery practices no longer prevail. Currently, the cemetery has about 50% cremains. This now makes it possible to have a maximum of 4 cremains interments on a single grave space. A grave space or lot with multiple grave spaces may be designated cremains only at the sole discretion

of the Leisure Services Director or his designee. Other revisions to the rules would include: no vehicles should be off road except with the permission of the Leisure Services Director or his designee, the maximum size of a foundation is the size of the owner's lot minus 4 inches, and all monuments in Babyland must be gray in color and meet the new dimension requirements.

6. Moved by Waldstein, seconded by McKenzie to approve Resolution 18-126, a Resolution awarding the 2<sup>nd</sup> Avenue NE Storm Sewer Replacement 2018 project to Lodge Construction of Clarksville, Iowa for the bid amount of \$50,390.00.

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

- City Engineer Mike Cherry reviewed that three bids were received for storm sewer replacement at 2<sup>nd</sup> Avenue NE near Cedar Lane. Mr. Cherry continued to say the storm sewer in question is approximately 100 years old and is made out of hollow brick. City staff thought they had it repaired; however, the sink hole and failure re-appeared and staff is not confident that an outside patch would work. At this point, replacement is the most economical option. The bricks could be considered artifacts since they are slightly curved. The sinking is happening somewhere in the middle of the pipe. There are multiple locations of failures. The repair will be from the manhole to the headwall, which is about 240 feet. The replacement of bricks will be with modern reinforced concrete pipe. The work will be staged so that traffic will still have a through route; although, there may be brief period of time when Cedar Lane will be shut down. Staff was hoping to be able to address the storm sewer pipe at the time of the Cedar Lane Reconstruction Project, but the failure and the sinkhole showed up. Construction is scheduled to begin as soon after the Volunteer Fire Fighters Association Convention as possible. This project was not budgeted and will need to be part of a budget amendment. Part of the Cedar Lane Reconstruction Project will be to install storm sewer pipe into the headwall going to the river. The headwall will remain in place. The two projects will have no effect on each other.

7. Moved by Kangas, seconded by Drenkow to approve Resolution 18-127, a Resolution approving the Airport Manager Agreement and Airport Fixed-Base Operator (FBO) Agreement with Swieter Aircraft Services, Inc. for the Waverly Municipal Airport.

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

- Municipal Airport Commission Chair Dennis Hanson noted that the commission appointed an interview committee of Von Blunt, Mayor Soash, City Engineer Cherry, and himself. The Airport Manager collects rent and takes care of maintaining the airport facilities and grounds. The Airport FBO provides airport services to the aviation community such as aircraft rental, fueling, and the hangaring of aircraft. On November 1, 2003, the City of Waverly hired Cedar Valley Aviation as the Airport Manager/FBO. Five-year contract extensions were approved in 2008 and 2013 without soliciting proposals from other companies. Request for proposals and qualifications were advertised through the Iowa Office of Aviation's email notification service resulting in the City receiving interest from two companies. Upon reviewing the Statements of Qualification and conducting interviews, the selection committee deemed Swieter Aircraft Service, Inc. the best qualified company. Throughout this process, it has been the City's

objective to select the firm most capable to provide the services the City expects at the Waverly Municipal Airport. Accordingly, the Waverly Airport Commission entered into contract negotiations with Swieter Aircraft Services whose interview team demonstrated exceptional depth, knowledge, and experience. On August 9, 2018, the Waverly Airport Commission voted unanimously to recommend that the City Council hire Swieter Aircraft Services as the Airport Manager and Airport FBO and approve the associated agreements for said services.

- Irv Swieter began working at and managing the Waverly Airport in 1981 through 1986 and then, moved on to the Waterloo Airport so we are now hoping for his return. Swieter Aircraft Services in Waterloo does general aircraft maintenance on all types of aircraft, single, twin engine, many types of repairs including engine over-hauls. He also has a fully licensed FAA avionics shop which includes radio and instrument repairs. This agreement starts at an almost \$7,000 net savings per year. FAA is now mandating separate agreements; however, it can still be the same entity.

8. Moved by Drenkow, seconded by Birgen to approve Resolution 18-128, a Resolution approving the Federal Aviation Administration Grant Agreement for Federal Assistance of \$137,637.00 of eligible expenses for the engineering design and bidding of the Airport Runway 29 Extension project at the Waverly Municipal Airport.

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

- \$137,637.00 is 90% reimbursement of expenses paid by the City to McClure Engineering for design services only. This process will be repeated for the construction of the runway.

I. Reports from Boards and Commissions

1. Planning & Zoning Commission Minutes; June 7, 2018; Received into Record.
2. Monthly Financials; June 2018; Received into Record.
3. Monthly Financials; July 2018; Received into Record.
4. Golf Commission Minutes; July 12, 2018; Received into Record.

J. Staff Comments

- Leisure Services Director Tab Ray announced the postponement of the Dog Days of Summer event until tomorrow (Tuesday, August 21, from 5:30 -7:30 p.m.) due to the weather.

K. City Council Comments

- Councilmember Birgen commented that freshman will move in this weekend at Wartburg and classes will begin August 29.
- Councilmember Drenkow thanked all the citizens for taking the time and effort to make their voices heard about the Bremer Avenue lane situation. He truly appreciated the comments and discussions from people who have put thought into what this would mean for the City of Waverly.
- Councilmember Waldstein reacted to Matthew Schneider's comments by adding that each Council has their telephone numbers and email address publicly posted on the City's website and encouraged citizens to feel free to contact each of them.
- Councilmember Kangas reminded the public that school is starting this week and requested that everyone take extra care in keeping the children and each other safe.

- Councilmember McKenzie also thanked those who took the opportunity leading up to the decision on Bremer Avenue and tonight to voice their opinions. McKenzie also shared it would be great if everyone were more flexible when listening to other people's opinions.
- Councilmember Sherer thanked those in the community that participated in a recent City Strategy Planning/Goal Setting event and added it was much appreciated the time commitment the participants were willing to contribute.
- Councilmember Rathe shared that opening the lines of communication up was one of the points that came out of the strategic planning exercise and added that we will be working on that very diligently.

L. Mayor's Comments

- Mayor Soash reiterated the appreciation of the participation from the community volunteers during Strategic Planning and noted that we have some work to do. Mr. Soash also welcomed the returning and new teachers in the area and wished for them a great school year. He asked everyone to do be alert for school buses. Mayor encouraged that the public not make the downtown merchants hostages for what is going on with Bremer Avenue as we need customers to visit the downtown once again.

M. Moved by Waldstein, seconded by Rathe to adjourn. Motion passed and Council meeting adjourned at 8:38 P.M.      **Yes: 7      No: 0      Absent: 0**

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Dean Soash, Mayor

ATTEST:

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Carla Guyer, City Clerk