

Study Session Meeting Minutes – July 23, 2018
Ivan “Ike” Ackerman Council Chambers

A Study Session Meeting of the Waverly City Council was held on July 23, 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: Kangas, McKenzie, Rathe, Sherer, and Waldstein. Absent: Birgen and Drenkow

C. Moved by Waldstein, seconded by McKenzie to approve the agenda as presented.

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

D. Minutes were inadvertently placed on the agenda. There were none ready for approval.

E. Public Comments on Items Not on the Agenda

- Heritage Days Committee Co-Chair Darwin Rittgers reviewed the events of the past weekend’s celebration and added that it was a very successful event. Mr. Rittgers thanked the many volunteers from the community and from the committee. He also thanked the police department, security, the Waverly-Shell Rock High School Football Team, City of Waverly staff including: Leisure Services, Public Works, and Fire Department. It was a community effort. A big thank you was also extended to the local businesses for their generous support in sponsoring events and prizes.

F. Study Session Calendar.

1. Discussion of Fireworks

- Tom Lloyd spoke in opposition of fireworks stating that they are noisy and dangerous. Fireworks displays should be left up to the professionals like at Heritage Days. Mr. Lloyd found rocket sticks in his yard from fireworks that were set off ¼ mile away. It is unnecessary to shoot fireworks over a dry pasture. This is disruptive to people that are trying to sleep at night, veterans, and animals. One night would be sufficient for usage of fireworks.

- Mary Sue Ellinger also spoke in opposition of fireworks. Ms. Ellinger commented that she has concerns for veterans, senior citizens, pets, and those that are ill. She prefers them not to be set off in the City and noted other towns that have banned them. Some of the nearby towns that have banned them are Sumner, Tripoli, Cedar Falls, and Waterloo. Ms. Ellinger stated that on June 27, 1931 the downtown of Spencer, Iowa burned down. Her grandfather owned a studio in Spencer and would tell the story. It was started by a couple of kids in the drugstore basement using sparklers. She encouraged Council to limit fireworks to outside the City limits.

- Council discussion included:

- Many emails, calls and comments in person from citizens regarding the use of fireworks were received.

- Police Captain Don Eggleston noted that there 45 total complaints from June 1 through July 8. Out of those 45 complaints, there were 27 complaints found in violation of the ordinance, 20 of those 27 were due to the time they were being used, 4 of the 27 complained of debris in yards and there were 3 complaints that were due to fireworks being used on public property.

- Enforceability of fireworks ordinances is a challenge within itself. Since laws have been changed so frequently, there is not good comparable data.

- Citizens are urged to call their State Representatives and share their feelings with them since the City can restrict and/or ban firework usage within the City, but not firework sales.

- The idea of trying to wait another year to see what happens.
- Restrictions such as the size of the property from which they are being used.
- Waldstein would support for a ban or fewer days allowed to use fireworks.
- Starting before July 4 and through July 8, the fireworks were disruptive, dangerous, and were being done irresponsibly such as intoxicated people were setting them off and others using them too close to neighboring homes.
- Rathe would support a complete ban or possibly a one-day window for firework usage. Explosives are very dangerous.
- Sherer mentioned that he would be in favor of fewer days over more days; however, he would be in favor of a ban. Laws are disobeyed every day.
- Guest Council Susan Cornforth also expressed concerns of dangerous, unsafe use.
- Many people were not picking up the debris from the fireworks.
- There were people that didn't know what the law is.
- No callous is meant toward those that do not deal with fireworks well; however, people should be able to make choices.
- Usage of fireworks is about safety and common sense and following ordinances.
- The City is not allowed to assess permitting fees for the sale of fireworks.
- While Council did receive comments from some in favor of keeping firework usage the way it is, there seemed to be many more in favor of a ban.
- Staff will bring three options back to Council.

G. Reports from Boards and Commissions

1. Library Board of Trustees Minutes; June 12, 2018; Received into record.
2. Airport Commission Minutes; June 14, 2018; Received into record.

H. Staff Comments

- Leisure Services Director Tab Ray voiced that the Waverly Volunteer Fire Department did a very good job at setting off the firework display for Heritage Days and the Boy Scouts did a good job of cleaning up the debris afterwards. The course did have to close four to five hours earlier than normal and staff was paid to sit on top of the hill to insure the greens are not damaged. Firework displays have been at the Municipal Golf Course for more than 33 years.

I. City Council Comments

- There were none.

J. Mayor's Comments

- Mayor thanked Guest Council Susan Cornforth for her time and participation as Guest Council for the month of July.

K. Moved by Waldstein, seconded by Rathe to adjourn. Motion passed and Council meeting adjourned at 8:07 P.M.

Dean Soash, Mayor

ATTEST:

Carla Guyer, City Clerk