

Regular Meeting Minutes – November 4, 2019  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on November 4, 2019 at 7:00 P. M. at City Hall. Mayor Soash presided.

- A. Mayor Soash called the meeting to order.
- B. Roll Call
- Present: Birgen, Drenkow, McKenzie, Rathe, Sherer, and Waldstein  
Absent/Tardy: Kangas arrived at 7:14 P.M.
- C. Mayor Soash led in the Pledge of Allegiance.
- D. Moved by Waldstein, seconded by Drenkow to approve the agenda as presented.  
**Motion passed. Yes: 6 No: 0 Absent: 1**
- E. Council welcomed Wartburg College student, Nick Schwake as Guest Councilperson for November.
- F. Public Comments on Items Not on the Agenda
- Eisenach, Germany Intern Simon Wolf introduced himself and thanked Waverly for being the Sister City to Eisenach. Mr. Wolf shared that he was honored to be visiting Waverly and thanked Mayor and Council for allowing him to speak.
  - Ed Zelle reflected on his high school days and shared with Council that he graduated in 1943, one year behind Neil Smith. Mr. Zelle told how Smith loved children and wanted to do something that would benefit children. He felt that was what Smith wanted when he sold his property to the City for Champions Ridge.
- G. Consent Calendar
1. Approve the purchase of a 2020 Polaris Ranger 1000 for the Vegetation Management Division of Leisure Services from Myers Polaris of Fairbank, Iowa for the purchase price of \$13,940.00.
  2. Pay Request from VJ Engineering for the Cedar Lane Reconstruction 2019 for the amount of \$9,849.69.
  3. Pay Request from WHKS & Co. for the WPC Facility Improvements 2020 for the amount of \$17,730.24.
  4. Pay Request from WHKS & Co. for the Infrastructure Modeling- Water Distribution System & Sanitary Sewer Collection System 2019 for the amount of \$1,730.64.
  5. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway (East) Improvements 2018 for the amount of \$15,423.10.
  6. Class C Liquor License for Prairie Links Golf and Event Center.
  7. Class E Liquor License for Fareway Stores, Inc. #561.
  8. Special Class C Liquor License for Wartburg College.
  9. Class C Beer Permit for Kwik Star #752.
    - Moved by Sherer, seconded by Drenkow to approve Consent Calendar items two – nine.  
**Motion passed. Yes: 6 No: 0 Absent: 1**  
**Kangas arrived at 7:14 P.M.**  
Moved by Birgen, seconded by Rathe to approve Consent Calendar item number one.  
**Motion passed. Yes: 7 No: 0 Absent: 0**  
Waldstein requested to consider Consent Calendar item number one separate from items two – nine.
      - Councilmember Waldstein explained that it would be good to clarify the practice of the City to always take the low bid if it meets specifications and is a reasonable and responsible bid.

- The practice has been to accept the low bid. There is no current policy that dictates choosing a local bid; however, it would be very hard to enforce this. The winning bid was for a 2020 Polaris, and the next higher bid was for a 2019 John Deere which would make it over a \$1,000 difference. The Polaris version is accepted across the state. It is unfortunate that local bidders don't always win the bid, but competitiveness can be lost if the local businesses know they will win the bid. Difficulties would be in defining a threshold, who a local bidder is, etc. It would also be a good practice to not discuss changing the rules after bids are made rather it should be done before the bids are received.

H. Regular Business.

1. Moved by Rathe, seconded by Birgen to approve Resolution 19-176, approving the area north of the Soccer Complex along Cedar River Parkway as the future location for Youth Ball Diamonds.

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

- Ball Diamond Task Force member Tina Miller thanked the Mayor and Council for their support of the task force and allowing them to explore options. Miller explained that she has 11-year-old twin boys with cerebral palsy. They are healthy, happy boys who love to be outdoors and love to play baseball. The current facilities in the City are not accessible for them as they both use walkers to get around. Champions Ridge did not support the means of her family or other families with similar abilities. The proposed complex off of Cedar River Parkway does support these means since it is on level ground and would allow all children to play together.

- Council thanked the Ball Diamond Task Force for all the work they did on determining an area for a youth ball diamond facility.

- Councilmember Waldstein shared facts of her research of Champions Ridge. Waldstein has never found any record that Neil Smith expressly wanted ball fields. She found that Neil Smith wanted to do something for the City productively and potentially for our youth. Waldstein has also found that the price of the land was close to a range of fair market value. The deed between the City and Bremer County Fair Association states that the deed will be transferred when the land is paid for and when the Fair has given notice of vacating Memorial Park. The Fair recently requested a three-year extension, and the City granted them a two-year extension. Councilmember Waldstein added that she would like to see a funding/business plan as soon as reasonably possible before moving forward with a full plan. An approximate cost for a site plan will be coming soon and will be paid for by the City.

- Councilmember Rathe noted that the task force seemed very thorough, efficient, and thoughtful during deliberations. Dr. Rathe knows nothing regarding a plot to undermine the Champions Ridge efforts. Having the complex be ADA friendly will be something that Champions Ridge was not offering. The task force seems eager to get to work on fundraising as soon as they see initial estimated costs.

- Councilmember McKenzie mentioned that this site location had been brought forward in the past. He does have concerns with the funding stream coming back to the City. It seems that it will be very hard for the next Council to determine how to fund this project and have it playable in 18 months.

2. Moved by Sherer, seconded by Rathe to approve Resolution 19-183, approving the continuation of the Ball Diamond Task Force, further known as Task Force.

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

- The current Task Force members have already agreed to continue to serve. It has been discussed with the current task force the hope to have adult programs looked at in the future which, hopefully, future phases will be inspired by getting this phase moving.
3. Leisure Services Commission update
- Leisure Services Commission Chairperson Randy Neuendorf presented a power point presentation to Council. The commission meets the 3<sup>rd</sup> Thursday of each month at 7:00 p.m. in the Council Chambers. Leisure Services Commission responsibilities are the parks, Harlington Cemetery, swimming pool, civic center, dog park, vegetation management, the trails, forestry, public properties, central business district, and public right-of-ways. Some of their accomplishments have been: tree planting projects/hazardous tree removal, a trail head project, completed the Kohlmann Park play unit inclusiveness project, continued the South Riverside Park enhancement/restoration project, completed the dog park sidewalk, replaced a pickup and out-front mower for Parks Dept., installed a fence along the face of the crypt at the Cemetery, received a grant for wind structure, completed a walkability assessment, installed Rolling Hills basketball court, and began a Leisure Services monthly newsletter. Some of the challenges that Leisure Services faces are: increased ball diamond maintenance, possibly needing a policy to handle private Ash trees, finding enough qualified seasonal staff, continued heavy workload of staff, cemetery weed control, and a 52-year-old swimming pool. In the future, the commission and staff are working on: ball diamond project, South Riverside Park/Exchange building, Park and Open Space Plan update, a policy for privately owned Ash trees, maintenance on the Cedar River Parkway, and to increase foundation funds.
  - The wind sculpture is somewhat of an orb that turns when the wind blows. Staff took over maintenance at the Kiwanis/Exchange fields this past season which is the cause for the majority of increase in labor hours. This does include Wartburg Intermurals and adult softball leagues since both use the diamonds at Memorial Park. The associations used to do the maintenance.
4. Moved by Rathe, seconded by Birgen to approve Resolution 19-182, 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**
- 2019 Board Chair for the Waverly Chamber Main Street Phil Jones noted that Waverly has been a charter member of the Main Street Iowa program since 1985. Mr. Jones shared statistics of accomplishments of residents and business owners since January, 1986 through August, 2019. These accomplishments include: 110 business starts, relocations or expansions; 306 net new jobs, 537 building projects, \$24 Million of private funds invested, 83 buildings changed hands, \$8.5 Million in acquisitions, and over 92,000 volunteer hours through the Waverly Main Street Program.
  - Each year, the Chamber/Main Street requests \$45,000 from the City. \$10,000 is for Chamber membership, \$10,000 is for tourism efforts, and \$25,000 is for the Main Street program. Main Street is considered Bremer Avenue from 7<sup>th</sup> Street East to 7<sup>th</sup> Street West. There are a few areas/blocks north and/or south of Bremer Avenue also included. The Chamber and Main Street are basically synonymous since there was positive support to combine the two. Marketing is one of the aspects for the Main Street program together with retail support, design and beautification support, and revitalization. A healthy downtown means healthy businesses throughout the community.

5. Moved by McKenzie, seconded by Rathe to approve Resolution 19-162, approving a revised Development Agreement with 4 Queens Real Estate, LLC.  
**Motion passed. Yes: 6 No: 0 Absent: 0 Abstain: 1 (Birgen due to son being employed there.)**
- Pedestrians seem to have a hard time crossing the sidewalk that is in the path of the drive-thru area. There will not be painted arrows within the exit. Changes from the original development agreement include changing the steel bollards to limestone block and \$2,500 for brick work for streetscape which the City can have this done more economically. The business will be closing November 17 for the season. The City is looking at historic pedestrian signage to put in the northwest corner of the building.
6. Moved by Kangas, seconded by Birgen to approve Resolution 19-177, approving the Option Tower and Ground Space Lease agreement and accompanying First Amendment to the City's West Water Tower lease agreement between the City and USCOC of Greater Iowa, LLC (US Cellular).  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- This is to allow USCOC of Greater Iowa, LLC (US Cellular) to upgrade their telecommunication equipment on top of the City's West Water Tower. The City will continue to receive the same dollar amount for the lease since the size of the space being leased will not change. The aesthetics will remain about the same. The lease does provide that every five years the lease amount shall increase by 15%.
7. Moved by Birgen, seconded by Rathe to approve Resolution 19-178, approving Contract, Bonds, and Certificate of Insurance from Boomerang Corp. of Anamosa, Iowa for the E. Bremer Avenue Sanitary Sewer Extension 2019 project and authorizing the Mayor to sign the contract.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- Funding will potentially be through a G.O. Bond to be paid through T.I.F. Funds. The Comprehensive Land Use Plan designates this specific real estate as mixed use-industrial. We will be looking at a reimbursement resolution in order to pay back the funds that have to be paid out ahead of receiving the bonds.
8. Moved by Drenkow, seconded by Sherer to approve Resolution 19-179, accepting the Sanitary Sewer Manhole Rehabilitation 2019 project as complete and approving Pay Estimate No. 2 in the amount of \$7,559.30 as the final pay request to Josh's Construction of Dubuque, Iowa.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
9. Moved by Birgen, seconded by Kangas to approve Resolution 19-180, accepting the Cedar River Parkway (East) Improvements 2018 project as complete, approving Contract Modification 7 in the amount of a \$4,190.08 increase, approving Contract Modification 8 in the amount of a \$17,253.31 decrease, and approving Pay Application No. 22 in the amount of \$558,163.64 as the final payment to Cramer & Associates of Grimes, Iowa.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- This is a great project to have complete and under budget. However, the engineering agreement has not been finalized yet. The engineering agreement will not go over budget. Going into this project, there were a couple of unknown areas of costs. One unknown was the geology of the rock under the river that the piers would be sitting on; therefore, the worst-case scenario was figured. Staff will wait to see how other projects fair to see what the cost savings will be utilized for.

10. Moved by McKenzie, seconded by Waldstein to approve Resolution 19-181, a Resolution approving preliminary plans, specifications, and estimate cost for the replacement of substandard water and sanitary sewer services as a part of the 4th Street SW (IA 116) & 10th Street SW Improvements projects and setting November 18, 2019 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a Public Hearing.

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

- Assessments to property owners was discussed and will be discussed further at the November 18<sup>th</sup> meeting.

11. Moved by Sherer, seconded by Birgen to approve the First Reading of Ordinance 1067, an Ordinance adding and removing authority for traffic control devices and adopting the revised Appendix E.

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

I. Staff Updates

- Leisure Services Director Garret Riordan announced that the golf course is closing for the season on this day and the Pro Shop will be open Tuesday – Friday, 9:00 a.m. to noon until Spring. There will be a Candle Light Walk from 5:00 p.m. until 7:00 p.m. on Saturday, November 9. If anyone would like to volunteer to set up, set up will begin at 3:30 p.m. The Enough for Everyone Globes have been relocated to the Sharing Gardens.

J. City Council Comments

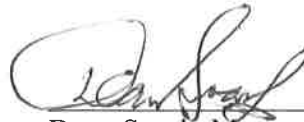
- Councilmember Waldstein inquired about the pedestrian crossing located at 1<sup>st</sup> Street West and Bremer Avenue and how it counts down and then stays green and does not allow for pedestrian crossing. Staff will check into this. It is the hopes that the Waverly Historic Lofts will be open the first part of 2020. There will be 34 residential units (4 will be at market rate and 30 that are at a mixture between the 60 & 80 percentile.)
- Councilmember Birgen was informed that there has not been any new news on the theater. Congratulations to the City's new officer, Kiela Ruth, for her employment with the City. Birgen would invite anyone that would like to discuss City business with him to meet him at the Wooden Foot immediately following this meeting.
- Councilmember Sherer reminded all that election day is Tuesday, November 5. Please remember to bring your drivers license when you come to vote.

K. Mayor's Comments

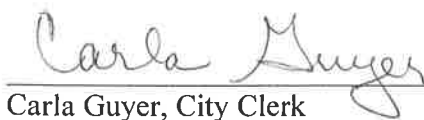
- Mayor Soash swore in Officer Kiela Ruth earlier today and congratulated & welcomed her to the community.

- L. Moved by Waldstein, seconded by Birgen to adjourn the meeting. Motion passed and the Council meeting adjourned at 8:49 P.M.

**Yes: 7 No: 0 Absent: 0**

  
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Dean Soash, Mayor

ATTEST:

  
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Carla Guyer, City Clerk