

Regular Meeting Minutes – December 2, 2019
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on December 2, 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: Kangas
- C. Mayor Soash led in the Pledge of Allegiance.
- D. Moved by Birgen, seconded by Rathe to approve the agenda as presented.
Motion passed. Yes: 6 No: 0 Absent: 1
- E. Moved by Sherer, seconded by Birgen to approve the November 4, 2019 regular meeting minutes and the November 18, 2019 regular meeting minutes.
Motion passed. Yes: 6 No: 0 Absent: 1
- F. Guest Councilperson
 - Council welcomed Mayor Elect Adam Hoffman as Guest Councilmember for December.
- G. Presentation of Plaques of Appreciation
 - 1. Mayor Soash and Council presented a plaque of appreciation to former Leisure Services Commission member Sharon Cashman for her 20 years of service with the commission.
- H. Public Hearing
 - 1. This was the date, time and place for a public hearing on Ordinance 1068, an Ordinance Adopting the “City Code of the City of Waverly, Iowa”.
 - **There were no oral or written public comments.**
 - **The public hearing was then closed.**Moved by Birgen, seconded by Waldstein to approve the Second Reading of Ordinance 1068, an Ordinance Adopting the “City Code of the City of Waverly, Iowa”.
Motion passed. Yes: 6 No: 0 Absent: 1
- I. Public Comments on Items Not on the Agenda
 - There were none.
- J. Consent Calendar
 - 1. Approve the purchase of a 2020 Freightliner 108SD Cab & Chassis from Don’s Truck Sales of Fairbank, Iowa for the net delivered price of \$58,050.00 which includes the trade in of the 2007 Sterling Hook Lift Dump Truck for \$22,000.00.
 - 2. Approve the purchase of a Hook Lift & Accessories for the 2020 Freightliner 108SD Cab & Chassis from Tri State Truck of Dubuque, Iowa for the net delivered price of \$98,779.00.
 - 3. Pay Request from WHKS & Co. for the WPC Facility Improvements 2020 for the amount of \$17,786.08.
 - 4. Pay Request from WHKS & Co. for the Infrastructure Modeling- Water Distribution System & Sanitary Sewer Collection System 2019 for the amount of \$11,524.11.
 - 5. Pay Request from JB Holland for the Airport Runway 29 Extension 2018 for the amount of \$601,229.21.
 - 6. Pay Request from McClure Engineering Co. for the Airport Runway 29 Extension 2018 for the amount of \$7,505.28.
 - 7. Pay Request from McClure Engineering Co. for the Airport Obstruction Removal Project 2020 for the amount of \$2,850.00.

8. Pay Request from Steege Construction, Inc. for the Waverly Senior Housing- 420 Bldg. Project for the amount of \$133,980.40 to be paid by Waverly Senior Housing.
9. Pay Request from AHTS Architects for the Waverly Senior Housing- 420 Bldg. Project for the amount of \$3,001.15 to be paid by Waverly Senior Housing.
10. Special Class C Liquor License for Asian Garden.
11. Class E Liquor License for Hy-Vee.
12. Class C Liquor License for The Dirty Dog American Bar & Grill.
13. Class C Liquor License for Pokey's Speakeasy.
14. Cash Disbursements for October, 2019.

Moved by Rathe, seconded by Birgen to approve the Consent Calendar as presented.

Motion passed. Yes: 6 No: 0 Absent: 1

- Councilmember Drenkow noted that the Waverly Senior Housing Project is now named the Red Cedar Place. This is to commemorate the Red Cedar Rail Road that had run by this area in past times.

K. Regular Business.

1. Moved by Drenkow, seconded by Sherer to approve Resolution 19-191, approving a Plat of Survey to re-subdivide the three existing lots to Lots 1, 2, and 3 for the properties located at 3401 E. Bremer Avenue for Richard Schulz.

Motion passed. Yes: 6 No: 0 Absent: 1

- Planning and Zoning Commission passed this unanimously.

2. Moved by Drenkow, seconded by Birgen to approve Resolution 19-192, approving a preliminary plat to re-subdivide property described as Parcel ID #0917200016 into three additional lots located in the Pheasant Ridge Subdivision for Adam and Kelly Moeller.

Motion passed. Yes: 6 No: 0 Absent: 1

- City Attorney Bill Werger informed Council that the one "no" vote from Planning and Zoning was due to this area being a potential future arterial road. 29th Avenue/240th Street is a potential link to Shell Rock many years in the future. There is a request to Bremer County for rezoning. Currently, the City does not have a two-mile radius 28-E agreement with Bremer County so the State law supersedes County and City. The City has looked at working with Bremer County for a new 28E agreement. Per State law, the County is required to have the City review everything within two miles.

3. Moved by Sherer, seconded by Rathe to approve Resolution 19-193, approving the Golf Course Fees and Charges for 2020.

Motion passed. Yes: 6 No: 0 Absent: 1

- There was good discussion at the last commission meeting about how Waverly's golf rates match up with other quality courses in the area. Some catch up needs to happen while at the same time not pricing the course out of the market. Traditionally, the course raised rates approximately every two years for season passes, yet, has not done any rate increases since 2015. The rate increase for 2017 was apparently missed in 2017. Certain passes were deliberately not increased. For example, the junior passes were not increased since we are trying to encourage more junior golfers to play. The adult +spouse prices have stayed steady since 2011.

4. Moved by Rathe, seconded by Sherer to approve Resolution 19-194, approving Change Order 3 for items associated with the delays caused by the Railroad Crossing Permit and to vertically extend the box culvert headwall and wingwalls to a height equal to or slightly above the bike path for the Railroad Crossing Improvements at 20th Street NW and 5th Avenue N 2018 project in the amount of a \$26,415.50 increase.

Motion passed. Yes: 6 No: 0 Absent: 1

- City Engineer/Public Works Director Mike Cherry stated there are increased costs of \$17,456.00 for several items associated to the delays caused by the Railroad Crossing Permit. The price includes costs from Iowa Trenchless, Baker Enterprises, and Croell – the prime contractor. This request is allowed by contract for substantial delays deemed outside the contractor’s control. The \$8,959.50 price for the item is to vertically extend (approximately 18-inches) the box culvert headwall and wingwalls to a height equal to or slightly above the bike path. This price includes the removal of existing fence, forming and pouring the walls, and reinstalling the existing fence onto the new concrete. There was a change order (number 1) for a \$183,280 decrease for a planned utility duct bank that was to be installed beneath the railroad for conduit to used for telecommunications, fiberoptic, etc. This did not happen as the cost was too significant for the benefits that would have been received. Anything with steel in it is susceptible to more inflation than a cost of living increase. The completion date for the crossing gates remains unknown.
5. Moved by Birgen, seconded by Drenkow to approve Resolution 19-195, Fixing Date of December 16, 2019 at 7:00 p.m. in the Council Chambers of City Hall for A Meeting On The Authorization Of A Loan Agreement And The Issuance of Not To Exceed \$140,000 General Obligation Capital Loan Notes Of The City of Waverly, State Of Iowa (For An Essential Corporate Purpose), And Providing For Publication Of Notice Thereof.
Motion passed. Yes: 6 No: 0 Absent: 1
- The seller/property owner for this property approached the City to find out if it was in the interest of the City to purchase this property. The City felt it would be beneficial to purchase this property to aid as a staging area during the 3rd Street SE anticipated bridge work. When the City takes on debt, there must be a public hearing.
6. Moved by McKenzie, seconded by Waldstein to approve the First Reading of Ordinance 1069, an Ordinance amending Chapter 100, Sections 100.5.02, 100.6.02, 100.6A.02, 100.7.02, 100.8.02, 100.9.02, 100.12.02, 100.13.03, 100.16.03, 100.18.03, and 100.28, of the Waverly Municipal Code amending the Special Provisional Uses application process to comply with the Iowa Code by making the Board of Adjustment the body that issues Special Provisional Use Permits.
Motion passed. Yes: 6 No: 0 Absent: 1
- Staff recently attended a conference for Planning and Zoning and learned that the Board of Adjustment should be the body that issues Special Provisional Use Permits and not the Planning and Zoning Commission.
6. Moved by Sherer, seconded by McKenzie to approve the Cancellation of December 23, 2019 Study Session meeting due to the holiday.
Motion passed. Yes: 6 No: 0 Absent: 1
7. Moved by Sherer, seconded by McKenzie to approve the Mayoral Appointments as listed below.
- Gaylan Brunssen is reappointed on the Waverly Utilities Board of Trustees for a term ending December 31, 2025.
- Jes Kettleon is replacing Ann Seggerman on the Waverly Utilities Board of Trustees for a term ending December 31, 2025.
- Toshia Burell is replacing Sharon Cashman on the Leisure Services Commission for a term ending December 31, 2020.
- Brian Pins and Tara Winter are reappointed on Leisure Services Commission for terms ending December 31, 2022.
- Jerry Hankner is replacing Toshia Burrell on the Golf Course Commission for a term ending January 1, 2022.

Sally Thorson and Brent Jones are reappointed on the Golf Course Commission for terms ending January 1, 2023.

Doug Bowman, Clark Wilharm and Peggy Rathe are reappointed on the Municipal Housing Commission for terms ending January 2, 2022.

Motion passed. Yes: 6 No: 0 Absent: 1

- Council recognized and voiced appreciation for all the volunteer hours and time committed to all of the City's Board and Commission members.

L. Reports from Boards and Commissions

1. Library Board Minutes; September 10, 2019; Received into record.

M. Staff Updates

- There were none.

N. City Council Comments

- There were none.

O. Mayor's Comments

- There were none.

P. Executive Session

1. Moved by Waldstein, seconded by Birgen to enter into executive session to discuss collective bargaining strategy for upcoming City Unit and City Unit negotiations as provided by Section 20.17(3) of the Code of Iowa.


Motion passed. Yes: 6 No: 0 Absent: 1

Moved by Birgen, seconded by Drenkow to reenter into open session is hereby approved.

Motion passed. Yes: 6 No: 0 Absent: 1

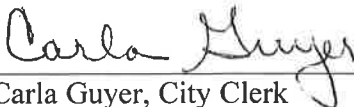
- Q. Moved by Sherer, seconded by Birgen to adjourn the meeting. Motion passed and the Council meeting adjourned at 8:06 P.M.

Yes: 6 No: 0 Absent: 1



Dean Soash, Mayor

ATTEST:



Carla Guyer, City Clerk