

Regular Meeting Minutes – April 20, 2020
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on April 20, 2020 at 7:00 P. M. at City Hall. Mayor Hoffman presided.

The Governor of Iowa has declared a Public Emergency because of the COVID-19 outbreak. The Mayor determined that an in-person meeting of the City Council is impossible or impractical without violating the Governor’s mandates.

When an in-person meeting is "impossible or impractical," Iowa Code Section 21.8 permits a governmental body to conduct a meeting by electronic means.

The meeting was conducted by video conference using ZOOM from the Council Chambers. The Mayor, City Clerk and Deputy City Clerk were in attendance in the Council Chambers. City Administrator was in attendance from his office. The 7 Council members were not in the Chambers, but participated via ZOOM conferencing.

Comments for items that were on the agenda could have been made by submitting them prior to the meeting to the City Clerk, Mayor or any of the Council members or by calling 319-596-0179 during the meeting.

The video/audio conference of the meeting was broadcast on the normal public access channels. We strived to maintain the quality of the video and audio during the broadcast. Public access was available through this broadcast as well.

Meeting minutes were still taken and will be kept which include the statement explaining why an in-person meeting was impossible or impractical.

- A. Mayor Hoffman called the meeting to order at 7:10 P.M. after having technical difficulties.
- B. Roll Call
 - Present: Beaufore, Birgen, Drenkow, Glaser, Kangas, Rathe, and Schneider.
 - Absent: None.
- C. Moved by Drenkow, seconded by Schneider to approve agenda as presented
Motion passed. Yes: 7 No: 0 Absent: 0
- D. Approval of Minutes
Moved by Rathe, seconded by Schneider to approve the April 6, 2020 regular meeting minutes.
Motion passed. Yes: 7 No: 0 Absent: 0
- E. Proclamation.
 - 1. Moved by Kangas, seconded by Glaser to approve the Arbor Day Proclamation that proclaims April 24, 2020 as Arbor Day for 2020.
Motion passed. Yes: 7 No: 0 Absent: 0
- F. Consent Calendar
 - 1. Set the Public Hearing date for May 18, 2020 at 7:00 P.M. in the Council Chambers of City Hall, to review the Cedar River Park Project Plans, Specifications, Form of Contract and Estimated Cost.
 - 2. Pay Request from WHKS & Co. for the Business 218 North Resurfacing 2020 for the amount of \$813.15.
 - 3. Pay Request from Snyder & Associates for the Traffic Study 2020 for the amount of \$3,919.50.
 - 4. Pay Request from ATC Group Services LLC for the WPC Facility Improvements 2020 for the amount of \$3,250.00.
 - 5. Pay Request from Farnsworth Group for the Public Services Center- North Addition 2021 for the amount of \$12,497.10.
 - 6. Pay Request from WHKS & Co. for the WPC Facility Improvements 2020 for the amount of \$35,074.40.
 - 7. Pay Request from Steege Construction, Inc. for the Waverly Senior Housing Bldg. Project for the amount of \$100,368.37 to be paid by Waverly Senior Housing.

8. Class C Liquor License for Wooden Foot Saloon.
9. Cash Disbursements for March, 2020.
Moved by Rathe, seconded by Beaufore to approve the Consent Calendar as presented.

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

G. Regular Business

1. Moved by Schneider, seconded by Rathe to approve Resolution 20-58, approving a Plat of Survey to create Parcel X out of the existing properties extending into the Cedar River located at Parcel ID 0535252004 of 104 Garner Drive for Stephen Styron.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Potential future property owner, Jurgen Block expressed that his intentions are not to install a boat dock. He only wants to maintain the parcel. He stated that they do not want to tear down any trees, they just want to clean up all the brush. There is a lot of rubbish down along the river. The work of making the view more aesthetically pleasing should not destabilize the river bank.
 - The Planning and Zoning Commission minutes were not clear as to why this request was denied. This application was brought to City staff by Stephen Styron for the division of land. It was after the Planning and Zoning Commission's decision that the potential future land owner communicated to staff that he wanted to enhance the view from his property. It may be necessary to create an ordinance that regulates whether or not docks should be allowed along with other uses. This is an environmentally sensitive property so it is not available to be developed upon. The DNR governs whether a dock can be installed or not. The parcel in question is not adjacent to the parcel that is owned by Mr. Block. There is a street and a right-of-way between the two properties. It is a very small portion of land that lies between the street and the river's bank. It seems that the economic reason for allowing this request would be to have the scrub brush cleaned out and that would be advantageous to the City and the property owner. Approval of this request would not give the property owner the right to clear trees within the right-of-way. Future requests to clear a specific tree would be considered by the City. Many of the trees referred to appear to be within the public right-of-way. The Cedar Lane project would try to maintain the curb line along the existing edge of pavement. The Blocks would have to cooperate with the City in doing this, as do, all other property owners.
2. Moved by Schneider, seconded by Kangas to approve setting the Public Hearing date to consider the vacation and conveyance of a portion of 6th Street NW from North right-of-way line of 6th Avenue NW to the South right-of-way line of the Cedar River Railroad Co. for May 18, 2020 at 7:00 P.M. in the Council Chambers of City Hall.
Motion passed. Yes: 7 No: 0 Absent: 0
3. Moved by Drenkow, seconded by Rathe to approve setting the Public Hearing date for the First Reading of Ordinance 1073, an Ordinance providing for rezoning of a portion of 6th Street NW from North right-of-way line of 6th Avenue NW to the South right-of-way line of the Cedar River Railroad Co. from a City owned street to M-1 Light Industrial for May 18, 2020 at 7:00 P.M. in the Council Chambers of City Hall.
Motion passed. Yes: 7 No: 0 Absent: 0
 - Although this parcel is near residential and commercial lots, there are other Light Industrial (M-1) zoned in the area and there are not many residential properties nearby. It is listed as commercial on Beacon, however, the use is M-1. It is associated as a warehouse. This rezoning would allow additional access to the building and additional parking area. This would also be a good start to cleaning up the area.
4. Moved by Rathe, seconded by Beaufore to approve Resolution 20-59, approving the payment of TIF, Hotel/Motel and Upper Story Façade Improvements rebates to be paid in this fiscal year (2019-20) for the following:

Carmi Flavor & Fragrance Co.	\$14,693.89
Waverly Hotel Group, LLC (H/M Tax)	\$68,908.63
Waverly Hotel Group, LLC (TIF)	\$98,886.12
Ann's Liquidation Service, LLC	\$ 346.38
Ann's Liquidation Service, LLC	\$ 1,539.26
Best Ventures LLC	\$ 1,811.24
Zachary Beschorner	\$ 3,136.61
Brian Snyder	\$ 3,998.58

Motion passed. Yes: 6 No: 1 (Schneider) Absent: 0

- Carmi Flavors still has one property within the Tax Increment Financing (TIF) area. This agreement was for property tax only. Therefore, if they continue to pay the property tax, they continue to be eligible for the TIF rebate. The Waverly Hotel Group development agreement with the City was amended to require only 8 employees vs. 9 that was originally required. Their last payment will be in fiscal year 2020-21.

5. Moved by Glaser, seconded by Kangas to approve Resolution 20-60, approving the payment of relocation expenses of \$24,570.58, down payment, and incidental expenses of 1,343.20 to Marvin and Margene Schmidt; relocation administrative expenses of \$8,277.00 to relocation consultant A & R Land Services of Ames, Iowa; title certificate and recording fees of \$750.00; and easement acquisition expenses totaling \$22,889.50 to James and Sandra Janssen for the total cost of \$57,829.78 for the project and approve submitting a FAA Grant Application for federal assistance for the costs incurred for the Airport Safety Zone project at the Waverly Municipal Airport and associated forms.

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

6. Moved by Birgen, seconded by Drenkow to approve Resolution 20-61, approving the Iowa Department of Transportation (IDOT) Airport State Funding Application for the Reconstruct T-Hangar Taxi-lanes 2021 project at the Waverly Municipal Airport.

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

7. Moved by Drenkow, seconded by Birgen to approve Resolution 20-62, approving the Professional Services Agreement with WHKS & Co. of Mason City, Iowa for the Old Water Pollution Control (WPC) Dome Demolition 2020 project for the not-to-exceed amount of \$19,000.00.

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

8. Moved by Drenkow, seconded by Rathe to approve Resolution 20-63, To fix a date for a public hearing on the proposal to participate in the Small Business Association's Paycheck Protection Program and obtain a forgivable loan for the benefit of Waverly Health Center in an amount not to exceed \$5,600,000.00 for April 27, 2020 at 7:00 P.M. in the Council Chambers of City Hall.

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

- This is a grant by the federal government to help alleviate costs associated with the Covid #19 Pandemic. The application has been looked at thoroughly. The first draw from this grant has to be done within the first 10 days of approval. They have been approved which now presents time constraints in getting it to Council to set and hold a public hearing. This will become a forgivable loan. The City has no liability, but does need to approve it as the parent owner of the hospital. The monies will be used towards operational expenses of overtime, P.P.P. (Paycheck Protective Program), and other expenses they have incurred due to the pandemic. There will be a couple of regular business items and a public hearing on the study session agenda for April 27.

H. Reports from Boards and Commissions

1. Golf Commission Minutes; January 14, 2020; Received into record.
2. Leisure Services Commission Minutes; January 16, 2020; Received into record.
3. Library Board of Trustees Minutes; February 11, 2020; Received into record.
4. Monthly Financials; March, 2020; Received into record.

I. Staff Updates

- Leisure Services Director Garret Riordan announced there would be an Arbor Day Poster contest. There will be three age groups. 2 – 5 years old; 6 – 12 years old; and 13 – 18 years old. Winner of each age group will receive \$10 in Waverly dollars. The entries are due by Thursday, April 23. Mr. Riordan also noted that the Waverly Municipal Golf Course and the Waverly Dog Park are currently closed due to the Covid #19 Pandemic. They will remain closed until after April 30, unless Governor Reynolds changes the restrictions.

J. City Council Comments

- Councilmember Beaufore requested that the Council discuss ideas for recognizing the Waverly-Shell Rock seniors since schools have been closed for the rest of the school year. This will be added to the Study Session agenda for April 27.
- Councilmember Birgen encouraged people to have patience while being under restrictions due to the pandemic. Birgen also commented on the length of time needed for restrictions for the virus to peak, and it will most likely take the same amount of time to ramp back down. Be safe, wash hands and keep your distance.
- Councilmember Rathe thanked City Staff for helping services run smoothly. Rathe also thanked people who are working at grocery stores and convenience stores and those helping to get goods and services delivered in town. She also gave a shout out to the Bartels staff and their CEO, Paula Geist, they are doing a great job! At the hospital, everyone is wearing masks and face shields to do their jobs. She recommends trying to have balance in your day – some exercise, some quiet time, some family time, and productive time.
- Councilmember Glaser also thanked City Staff for keeping the services going, essential workers, health care workers, grocery stores, etc.
- Councilmember Drenkow said that it was good to see everyone and is looking forward to seeing everyone and being in the same room again.
- Councilmember Schneider echoed Drenkow's comments and added that he is thankful of the technology that we have in order to continue to conduct business. Schneider added that he would like to discuss food insecurity in this time of need and would like to do so at the April 27th study session meeting.

K. Mayor's Comments

- Mayor Hoffman also gave a shout out to Paula Geist at Bartels, and he took them 26 face masks that his mother made for them. Food insecurity is real. Fareway is taking donations along with Northeast Iowa Food Bank. If you are in need, please call United Way.

L. Moved Schneider, seconded by Birgen to adjourn the meeting. Motion passed and the Council meeting adjourned at 8:12 P.M.

Yes: 7 No: 0 Absent: 0



Adam P. Hoffman, Mayor

ATTEST:



Carla Guyer, City Clerk