

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

A Regular Meeting of the Waverly City Council was held on July 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 has 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 Attorney/Economic Development Director Bill Werger, and City Clerk Carla Guyer were in the Council Chambers. The 7 Council members were not in the chambers, but the 7 members who were present participated via ZOOM conferencing.

Comments for items on the agenda or for the Public Hearing could be 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 broadcasted on the normal public access channels. Staff strived to maintain the quality of the video and audio during that broadcast. Public access was available through this broadcast.

Meeting minutes were kept and included a statement explaining why an in-person meeting was impossible or impractical.

- A. Mayor Hoffman called the meeting to order.
- B. Roll Call
  - **Present:** Beaufore, Birgen, Drenkow, Glaser, Kangas, Rathe, and Schneider **Absent:** None.
- C. Moved by Glaser, seconded by Beaufore to approve the agenda as presented.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- D. Moved by Drenkow, seconded by Rathe to approve the July 6, 2020 regular meeting minutes.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
- E. Public Hearing
  - 1. This was the date, time and place for a public hearing on the Demolition of the Old Cemetery Shop and Construction of the new Cemetery Shop in the Harlington Cemetery plans, specifications, form of contract, and estimated cost.
    - **There were no oral or written public comments.**
    - **The public hearing was then closed.**  
Moved by Drenkow, seconded by Rathe to approve Resolution 20-109, approving Plans, Specifications, Form of Contract, and Estimate Cost of \$153,930.00 for the Demolition of the Old Cemetery Shop and Construction of the New Cemetery Shop in the Harlington Cemetery.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
    - Once the old building is demolished, a new one that is a bit larger will replace it. The new building will look almost like the one that it is replacing. The plans were not brought forward before this for Council to view. The project was reviewed by the Board of Adjustment due to it being a slightly larger building. This project was not reviewed by Leisure Services Commission or Historic Preservation Commission.
      - 1a. Moved by Rathe, seconded by Birgen to approve Resolution 20-110, Awarding Contract for the Demolition of the Old Cemetery Shop and Construction of the New Cemetery Shop in the Harlington Cemetery to Steege Construction of Waverly, Iowa for the bid amount of \$147,430.00.  
**Motion passed. Yes: 7 No: 0 Absent: 0**

2. This was the date, time and place for a public hearing on Ordinance 1077, an Ordinance providing for rezoning of a Parcel owned by Robert and Lindee Juhl located to the west of Horton Road from R-4 (Multiple Family Residential District) to R-1 (Single Family Residential District).

- **Due to publication requirements this public hearing was moved so it will be held during the third and final reading of this ordinance on Monday, August 3, 2020.**

Moved by Birgen, seconded by Kangas to approve the Second Reading of Ordinance 1077, an Ordinance providing for rezoning of a Parcel owned by Robert and Lindee Juhl located to the west of Horton Road from R-4 (Multiple Family Residential District) to R-1 (Single Family Residential District).

Moved by Birgen, seconded by Kangas to amend the original motion to add the words, "and setting a public hearing for August 3, 2020 at 7:00 p.m. in the Council Chambers at City Hall."

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

3. This was the date, time and place for a public hearing on Ordinance 1078, an Ordinance providing for rezoning of a Parcel owned by JCLJ Ventures, LLC located on 12<sup>th</sup> Street NE from A-1 (Agricultural District) to R-1 (Single Family Residential District).

- **Due to publication requirements this public hearing was moved so it will be held during the third and final reading of this ordinance on Monday, August 3, 2020.**

Moved by Rathe, seconded by Schneider to approve the Second Reading of Ordinance 1078, an Ordinance providing for rezoning of a Parcel owned by JCLJ Ventures, LLC located on 12<sup>th</sup> Street NE from A-1 (Agricultural District) to R-1 (Single Family Residential District) and setting a public hearing for August 3, 2020 at 7:00 p.m. in the Council Chambers at City Hall.

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

F. Consent Calendar

1. Pay Request from Midland GIS Solutions, LLC for the GIS Data Collection 2019 for the amount of \$24,916.00.
2. Pay Request from Snyder & Associates for the 4<sup>th</sup> Street SW and 10<sup>th</sup> Street SW Reconstruction 2020 for the amount of \$7,958.00.
3. Pay Request from McClure Engineering Co. for the 20<sup>th</sup> Street NW Improvements 2020 for the amount of \$12,559.98.
4. Pay Request from Mehmert Tiling, Inc. for the Cedar River Park Bid Package 1- Grading & Utility Installation for the amount of \$150,957.60.
5. Pay Request from Wicks Construction, Inc. for the 4<sup>th</sup> Street SW & 10<sup>th</sup> Street SW Improvements 2020 for the amount of \$128,201.57.
6. Cash Disbursements for June 2020.

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

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

G. Regular Business

1. Moved by Drenkow, seconded by Beaufore to approve Resolution 20-111, approving the purchase of a replacement server for the security cameras at the Public Services Center from Hawkeye Communications of Waterloo, Iowa for the quoted price of \$7,993.00 for the IP Camera System.

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

- The server was over five (5) years old and had reached its end of life. Staff will check on the length of the warranty.

2. Moved by Schneider, seconded by Glaser to approve Resolution 20-112, approving a Final Plat for the proposed Whitetail Bluff Addition to consist of a mixture of 35 single-family and twin-home sized lots located at 208 9<sup>th</sup> Avenue NW and 1005 Adams Parkway for JDM Properties.

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

- There were concerns regarding sidewalk availability and the crossing across Adams Pkwy while walking diagonally from the subdivision to Carey School. Some adjustments were made to the exits by the developer and the sidewalks will go along the south side of the road. Whoever builds on the lots will probably have their property crossed by children on the way to and from school. There is an easement that would supply a few different options to install sidewalk if it were to become an issue. A sidewalk on the west side of Adams Pkwy is problematic since there is a ditch located there. There is a sidewalk on the east side. The restrictive covenants dictate that there are no fences allowed to be built around the yards in this subdivision and future homeowners should be aware of this. The City of Waverly has a developmental specification to utilize plastic watermain and plastic water services within the subdivision. This is new to Waverly and is being driven by the cost of steel, as well as the plastic pipe is becoming a more common practice throughout the State of Iowa. The plastic has been demonstrated to be a durable and reliable product that is being incorporate into the standards statewide urban design specifications. The plastic piping will also be recorded in the G.I.S. system. In lieu of parkland, the develop will give \$12,000 to Leisure Services in order to complete enhancements to the adjacent park on the other side of Adams Parkway. Timely response from developers is always appreciated.

3. Moved by Beaufore, seconded by Glaser to approve Resolution 20-113, approving the creation of a Human Equity and Diversity Task Force.

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

- Mayor Hoffman amended the roster of members proposed due to Libby Fry's request to be removed, and Bob Brunkhorst is being removed in order to maintain gender balance. The formation of the task force was a combination of things. In August 2018, the City held a Strategic Planning Session where diversity and inclusion were something that needed to be discussed, and it was recommended that a task force be implemented. After the planning session, the EMBRACE group was formed, and they have been active with several events that have happened since then. Since the goal is to promote diversity and inclusiveness, the feeling was that the membership of the task force should also be diverse. The Mayor reached out to several individuals that he felt had not been heard from previously. Others also reached out to the Mayor and gave him referrals and some reached out to volunteer. The proposed task force may or may not be the same people that end up on the commission if the Council should choose to move forward with a commission. Whether or not a commission will be formed will ultimately be up to the Council with a recommendation of the task force. The goals of the task force will include to draft a mission statement, identify opportunities for improvement, set goals to tell whether the task force is effective. The task force may have a hand in determining how long the terms will be, rotation of members, and number of members. In order to do this, they can use other existing boards and commissions as models to aid in determining those points. The task force will discuss whether demographics are represented or if they can pinpoint the ones that should be represented. The City Administrator will work with the task force as a staff liaison, and the Mayor will do the initial work of determining availability and setting the time of the first meeting. Meetings of the task force will be open public meetings with keeping social distancing in mind. There may also be a need to use ZOOM for said meetings as well. Timelines of maybe two (2) to three (3) months to provide a tangible report were discussed. The task force will sunset on December 31<sup>st</sup> of this year unless it is voted on by Council to extend it. The Mayor

mentioned that he did not want to over-inflate any one demographic or area. There was concern expressed for some members of the task force not being representative of those who have actually had experiences, rather those that have a connection with someone that has had those experiences. There were also concerns that there was not anybody from the EMBRACE group. The task force does not represent only black or white. It was mentioned that some that have been directly impacted by a lack of diversity may not feel comfortable or confident enough to step up and play a role on the task force. To achieve diversity and inclusion, there are people that also represent food insecurity concerns, socioeconomical concerns, people that struggle to make ends meet, and etc. The initial meeting of the task force will be relatively soon and the expectation would be to have the minutes turned in within a couple days after that. A date for a final report is unclear at this time, but it could be anticipated to occur two (2) to three (3) months after the initial meeting. The Strategic Planning Session 2018 was more about being more welcoming for people of more ethnical and racial backgrounds.

Councilmember Matthew Schneider called the question. There was no second.

4. Review the proposed inspection and repair of the sanitary sewer force main located on the Adams Parkway Bridge.
  - City Engineer / Public Works Director Mike Cherry explained this was an opportunity to explain the situation before the rental agreement for the Snooper Truck and the WHKS, Inc. agreement came to Council on August 3. This spring, a concerned boater brought to the City's attention that there may be issues with the brackets securing the sanitary sewer force main to the Adams Parkway Bridge. Upon investigating, City staff confirmed the presence of broken straps, missing bolts and other items of concern. Proposed repairs include replacing broken hanger straps, adding a wide-support plate to some straps, performing a thorough inspection, and preparing a formal report documenting the concerns, repairs and future improvements, if needed. Every two (2) years, the bridge is inspected. Inspection of the forced main will be added to the inspection criteria.
5. Moved by Birgen, seconded by Glaser to approve the Second Reading of Ordinance 1076, an Ordinance amending Chapter 37, Section 37.2 of the Waverly Municipal Code.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
6. Moved by Beaufore, seconded by Kangas to approve the appointment of Heather Beaufore as the Council Liaison to the Human Equity and Diversity Task Force.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
  - Councilmember Beaufore read a statement she prepared explaining why she felt she is qualified to serve on the task force.
7. Moved by Kangas, seconded by Schneider to approve the following Mayoral Appointments: Douglas Benschoter is replacing Lance Gritters on the Planning & Zoning Commission for a term expiring May 1, 2025. Gary Grace, Steve Egli, and Gene Lieb are reappointed on the Economic Development Commission for terms expiring July 1, 2023.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
  - There was concern raised for ethnic and racial balance on the boards and commission as well. Mayor Hoffman stated that going forward, all interested in serving on a board or commission will be required to complete the application for consideration of the respective board(s) or commission(s) of interest. This will include term renewals as well. Guest Councilperson Stacey Johnson spoke of the definition of diversity and added that the appointed members all bring a lot to the board or commission that they are appointed to. This is also part of diversification. It is important to keep diversity in mind in addition to the gender balance that is already required by Iowa state law. It is also important to look at the volunteerism and the

willingness of people to serve. It would be great if people that live here would be more involved. It is important to feel comfortable to step up for the position(s).

H. Reports from Boards and Commissions

1. Board of Adjustment Minutes; May 11, 2020; Received into record.
2. Historic Preservation Commission Minutes (revised); May 26, 2020; Received into record.
3. Bremer-Waverly Law Board Minutes; June 8, 2020; Received into record.
4. Airport Commission Minutes; June 11, 2020; Received into record.
5. Monthly Financials; June, 2020; Received into record.

I. Staff Updates

- There were none.

J. City Council Comments

- Councilmember Drenkow noted that since there was no second on the “Call the Question” on Regular Business item number three (3), and it is required according to the Council Rules and Procedures, that he would go ahead and voice his thoughts at this time. Drenkow expressed that there has been no consensus on the definition of diversity. Hopefully, the task force will be able to come to a definition. It would be good if the task force was able to create a blueprint, going forward with a commission, if that is how it turns out. Task forces have a sunset provision of December 31. He encouraged people to attend the task force meetings.
- Councilmember Rathe stated there are several different definitions of diversity. Everybody has a different background. In her employment, Rathe helps people find their voice and be comfortable speaking their own truth and advocating for themselves. She also has hopes that the task force will come away with more targeted set of goals. Civil rights icon John Lewis passed away this weekend. He always talked about making “good trouble” and what type of legacy does each generation want to leave.
- Councilmember Birgen reminded everyone that on the July 27<sup>th</sup> study session Council will be discussing fireworks and what type of ordinance people would like to see. Birgen stresses the importance of masks, washing hands, and social distancing. He feels it is premature to hold in-person Council meetings based on the data that is being seen.
- Councilmember Schneider stressed that he feels it is important that Council meet in-person as soon as practical. He also pleaded with citizens to be compassionate to those that are highly at risk for contracting the Corona Virus.
- Councilmember Glaser also commented on citizens being supportive and use the face masks, wash hands, and social distance as needed. Glaser also asked that the Boards and Commissions do the same by using Zoom to conduct their meetings.
- Councilmember Beaufore expressed thanks for being able to serve as Council liaison on the Human Equity and Diversity Task Force and asked people to wear masks, if they can, and wash their hands.
- Guest Councilperson Johnson thanked Council for being able to serve as guest council, and she shared a quote. “To build a strong team of people together you must see someone else’s strength as a compliment to your weakness, not as a threat.”
- Councilmember Kangas reflected over past years and being on Council. A big step was taken at this meeting in getting the task force started. As a task force, the Mayor, with Council approval, does have the ability to add and modify from it as needed.

K. Mayor’s Comments

- Mayor Hoffman mentioned that Heritage Days celebration was originally scheduled for this past weekend. The annual celebration brings people together. Hoffman noted that positive comments made toward the Leisure Services staff at the Harlington Cemetery at a recent funeral. He expressed appreciation for the formation of the task force. Mr. Hoffman extended congratulations to the television

staff person, Lucas Wendland for his upcoming wedding on July 25.

L. Moved by Kangas, seconded by Schneider to adjourn the meeting. Motion passed and the Council meeting adjourned at 8:42 P.M.

**Yes: 7    No: 0    Absent: 0**



Adam P. Hoffman, Mayor

ATTEST:



Carla Guyer, City Clerk