

Study Session Minutes – July 27, 2020  
Ivan “Ike” Ackerman Council Chambers

A Study Session Meeting of the Waverly City Council was held on July 27, 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 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 6 members who were present participated via ZOOM conferencing.

Comments for items on the agenda 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 broadcast 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: Birgen, Drenkow, Glaser, Kangas, Rathe, and Schneider. Absent: Beaufore

C. Moved by Glaser, seconded by Schneider to approve the agenda as presented.

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

D. Study Session Calendar.

1. Waverly Public Library Board of Trustees update

- Sarah Meyer-Reyerson and Board President James Perry were present to report to Council on what the library has accomplished over the past year and what their plans are moving forward. Ms. Meyer-Reyerson began the presentation reviewing current services offered at the library during over the past four (4) months while Covid-19 has required the library to be closed to the public. The library has just started allowing patrons to come into the library via making a reservation. Each reservation is allowed one hour of browsing time. This allows each person to choose their own materials. There will be five (5) reservations allotted for each hour the library is open. Recently, they started receiving appointments for patrons to be able to use the library computers. Two (2) of the computer stations were moved to the lobby for those that need to print materials. These are separate appointments from browsing hours. There is a new self-checkout system that requires minimal interaction with staff. Also available are drive-thru checkouts where people call ahead for check out items, and then, they are packaged up for pick up the next business day. Home delivery options are also available. The library has shifted more to material funding with e-books and streaming video and downloading more audio. You can check out e-books using the free, Libby App; you just need your library card number. Since March, library staff has been especially busy creating pod casts, putting together book discussions for teenage groups, assisting with the 4 – 6 grade book club, putting together book lists on diversity and other topics, and doing displays in order for patrons to find items more quickly. This is the first year for a summer reading program to be entirely online through a new software platform called Bean Stack. This allows individuals or families to track reading minutes. Operating changes include: when books are returned, they are quarantined for four (4) days per research done exclusively for libraries; some furniture has been moved out; children’s’ toys have temporarily been moved out; they now have washable keyboards for the computers. The Board is in the process of determining how an estate gift from Wayne and Nancy Anderson will used. A comprehensive strategic

planning session completed in 2018-2019 determined the need for both quiet space and active space. Emily McClimon is the new Youth Librarian, and Zach Leisinger will be taking over Emily's position as part-time Teen Librarian. Board President James Perry added that Sarah and her staff do a fantastic job and the Board is excited to see what will be coming up in the future. Council thanked Sarah for all that the library does for Waverly and surrounding communities. Sarah added that they do appreciate the support and funding that the library receives from the City.

2. Discussion of the Fireworks Ordinance Sec.104.4.01 of the Waverly Municipal Code.

- Councilmember Birgen commented that with the feedback he has received with the listening post that he conducted last summer and additional feedback, that it would not be a bad idea to shorten the length of time that fireworks are legal to be set off within Waverly. Birgen voiced that now he supports the change to go from approximately two (2) weeks to shrink it down to two (2) days which was proposed in 2019. He has heard from people that would like it banned completely and he has heard from others that would just like to shrink the time allowed down. People with P.T.S.D., with pets, or that have small children could be much more accommodated by a shortened allowance of time to shoot their fireworks. Councilmember Drenkow stated that he would prefer an outright ban on fireworks, but understands that shortening the season down to two (2) days would be a good compromise. Enforcement will be difficult for this type of law. Drenkow would like to have a way to step up the enforcement of illegal fireworks use. Councilmember Glaser also feels that a compromise would be the best since there are also those that enjoy lighting fireworks. Glaser did note that he felt two (2) days was too short and maybe it should be three (3) or four (4) days which is less than Waverly has now. He is also interested in better enforcement. Councilmember Schneider thanked the citizens that reached out. Schneider expressed that there are conflicting values. There are property rights to not have debris and fireworks shooting into your lawn, as well as, reasonable peace in the neighborhood vs the right to celebrate freedom and liberty. He would be interested in hearing ideas regarding enforcement. He noted that he takes issue with distance guidelines. He spoke that 50 feet from a structure and 50 feet from somebody's property line would be reasonable. Councilmember Rathe also thanked citizens for their feedback on this topic. Rathe reflected on discussing a distance guideline in the past, noting that it would be difficult to enforce and measure where the fireworks were sent off from. Citizens communicated to her about fireworks being shot off from City property, especially, down by the swimming pool. She was not sure if the incidents were reported in real time or not. It is difficult to call the police on your neighbors. Rathe would be in favor of limiting it around the 4<sup>th</sup> of July to a couple of days and see how it goes. Councilmember Kangas commented that this year did not surprise him as far as the impressive amount going off in the City, on the 4<sup>th</sup>, is concerned. He did express concern for just a two (2) day time frame. One of our neighboring cities has a large display that they present each year. Kangas also stated that his enforcement issues remain a concern. It was suggested to Kangas from citizens that maybe the City should offer designated areas within the City that are more open and away from houses/structures. Birgen added that we should avoid going back to this ordinance too many times. He likes two (2) days and feels there are probably good arguments for three (3) days, but wouldn't want anymore than three (3) days. There is no desire to change the times and dates that surround the New Years Eve holiday. Schneider brought up having a community night so it was all compacted into one night. Birgen talked about what it might be like to ban fireworks where the buildings are too close together possibly by noting where people cannot shoot fireworks at any time. Drenkow pointed out that an ordinance needs to be simplex. A complex ordinance would be unenforceable. He would be ok with three (3) days, possibly the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup>. Birgen reiterated that we need to be careful not to overlap the display at Shell Rock. Leisure Services Director Garret Riordan shared that the Parks Staff would very much like a shortened time frame because of all the clean up of debris and waste from the fireworks. He had pictures to share, but they wouldn't show up so he will email them to Council. There was a 2½ - 3-foot rocket stuck in the roof of the parks shop building. Rathe commented that this type of actions is how things get banned. Drenkow voiced that citizens have to cooperate and use the fireworks

responsibly and in accordance to the City ordinance. Schneider added that pyrotechnical objects on someone else's property is a big problem. Rathe shared a time when she lived in another state, someone's roof caught on fire caused by fireworks. City Attorney Bill Werger noted that part of enforcing this ordinance would be having to count on neighbors testifying against neighbors and that isn't very effective. City Administrator James Bronner recapped that the it seems the consensus of Council was a three-day ordinance; however, staff would review the audio portion of the meeting again to confirm that. Staff will then bring a proposed three (3) ordinance to Council meeting soon. There were no objections from Council.

E. Reports from Boards and Commissions

1. Golf Commission Minutes; April 14, 2020; Received into record.
2. Leisure Services Commission Minutes; April 30, 2020; Received into record.

F. Staff Updates

- City Administrator James Bronner talked about traffic at the 4<sup>th</sup> Street SW reconstruction project. Mr. Bronner reminded people to use caution driving near the construction route as a shift was made and there is now traffic exiting Burger King to the south. Mayor Hoffman added that 10<sup>th</sup> Street SW reconstruction is finishing the south end, pouring concrete this week, and then, transitioning onto the north end. 20<sup>th</sup> Street NW project is also pouring concrete. The seal coating project has begun to remove the loose aggregate on top.

G. City Council Comments

- Councilmember Glaser thanked the Chamber of Commerce for putting on a great golf tournament and he enjoyed playing with Councilmember Kangas, City Attorney Bill Werger, and Water Department Superintendent Justin McGlaun.
- Councilmember Birgen mentioned that since last week the active number of Covid-19 cases in Bremer County has risen from 49 to 70 this week. Please social distance and wear masks. Birgen asks citizens that would like to take the lead in making Waverly a Monarch Butterfly City, USA or a Bird City, USA to make it happen. He also noted that the Human Equity and Diversity Task Force will be meeting tomorrow night (Tuesday, July 28) at 7:00 p.m. in the Civic Center at City Hall.

H. Mayor's Comments

- Mayor Hoffman noted that the Heritage Days Committee is selling t-shirts as a fundraiser and then, reminded everyone respond to the 2020 US Census.

I. Moved by Schneider, seconded by Kangas to adjourn. Motion passed and Council adjourned at 8:15 p.m.

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



Adam P. Hoffman, Mayor

ATTEST:



Carla Guyer, City Clerk