Regular Meeting Minutes – April 6, 2015 Ivan "Ike" Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on April 6, 2015 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Reznicek, Waldstein, Lampe, McKenzie, Gade, Neuendorf, and Kangas. Absent: None

- A. Call to Order
- B. Pledge of Allegiance

Mayor Infelt led in the Pledge of Allegiance.

C. Prayer.

Mayor Infelt led in prayer.

D. Approval of Agenda

Moved By: Neuendorf Seconded By: McKenzie Agenda as presented is hereby approved.

0

Yes: 7 No: 0 Absent:

E. Approval of Minutes

Moved By: McKenzie Seconded By: Waldstein March 16, 2015 regular meeting minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

Moved By: Waldstein Seconded By: Neuendorf March 23, 2015 study session minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

F. Guest Councilperson

Council welcomed Guest Council Betty Westmeyer.

- **G.** Proclamation
 - 1. Proclaiming April 24th as Arbor Day for 2015 is hereby approved.

Moved By: Kangas Seconded By: Neuendorf Yes: 7 No: 0 Absent: 0

- H. Public Hearings
 - 1. This was the date, time and place for a public hearing on Resolution 15-65, a Resolution instituting proceedings to take additional action for the issuance of \$9,300,000 General Obligation Bonds of the City of Waverly, State of Iowa (for essential corporate purposes).
 - There was one written comment and one verbal comment both from Duane Liddle stating objections to the passage of this bond in regards to the way the dollars would be spent on a maintenance lane being used as a bike trail.

The public hearing was then closed.

• Council discussed the use of essential corporate purpose general obligation bonds.

Moved By: Waldstein Seconded By: McKenzie

Resolution 15-65 is hereby approved.

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

- I. Public Comments on Items Not on the Agenda
 - Duane Liddle exchanged conversation with Council and Staff regarding the Dog Park materials to be used for the parking lot and fencing. Fencing is complete

and the Dog Park can be used, however, the public should keep in mind there remains items unfinished and crews will continue to work there.

J. Consent Calendar

- 1. Pay Request from Peterson Contractors, Inc. for the Cedar River Parkway West 2013 project for \$71,154.63.
- 2. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway, construction services for \$4,590.00.
- 3. Pay Request from McClure Engineering Co. for the Waverly Runway 11/29 Rehab Design and Bidding Services for \$4,314.00.
- 4. Pay Request from Paul Miller Design, Inc. for the Golf Course Architecture Services for \$1,187.50.
- 5. Pay Request from Woodruff Construction for the Outdoor Pool Renovation Project for \$242,487.50
- 6. Pay Request to St. John Lutheran Church for property and easement acquisition for the Dry Run Creek Improvements Project for the amount of \$13,420.00.
- 7. Setting a public hearing to review the Waverly Municipal Airport Runway Reconstruction for April 20, 2015 at 7:00 P.M. in the Ivan "Ike" Ackerman Council Chambers at City Hall.
- 8. Class C Liquor License for Janesville Tap, LLC. (This is to cater a wedding.)
- 9. Class B Native Wine permit for the Wild Carrot, LLC.
 - Council and Staff reviewed status of Cedar River Parkway construction.

Moved By: McKenzie Seconded By: Lampe Consent Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

K. Regular Business.

1. Resolution 15-70 appointing Wells Fargo Bank, National Association of Minneapolis, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement

Moved By: McKenzie Seconded By: Lampe is hereby approved.

Yes: 7 No: 0 Absent: 0

2. That the form of Tax Exemption Certificate be placed on file and approved for the \$1,990,000 Sewer Revenue Bonds, Series 2015A

Moved By: Kangas Seconded By: Reznicek is hereby approved.

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

3. That the form of Continuing Disclosure Certificate be placed on filed and approved for the \$1,990,000 Sewer Revenue Bonds, Series 2015A.

Moved By: Reznicek Seconded By: Neuendorf is hereby approved.

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

4. Resolution 15-71, a Resolution authorizing and providing for the issuance and securing the payment of \$1,990,000 Sewer Revenue Bonds, Series 2015A, of the City of Waverly, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds

Moved By: Waldstein Seconded By: Kangas is hereby approved.

Yes: 7 No: 0 Absent: 0

- 5. First reading of Ordinance 994, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Re-zoning from Residential District (R-1) to Commercial District (C-2) for approximately 1.3 acres of a 24.4 acre property located on the south side of and within the 3000 block of East Bremer Avenue, and to amend the Comprehensive Land Use Plan Map from Church to Commercial of said 1.3 acres and setting April 20, 2015 at 7:00 P.M. in the Ivan "Ike" Ackerman Council Chambers of City Hall as the date, time and place for a public hearing
 - Council and Staff reviewed the property owner requested this to go to Council after a 3-3 vote at Planning & Zoning Commission, this project would have to comply with the new buffering/screen ordinance requirements since the project had not commenced by the time of passage and that there is no current plan for this property but they would like to market it.

Moved By: Waldstein Seconded By: Lampe is hereby approved.

Yes: 7 No: 0 Absent: 0

6. Resolution 15-66 approving contract for the sum of \$61,963.53, bonds and certificate of insurance from Skyline Construction of Decorah, Iowa and authorizing Mayor to sign the contract for the AmVets Area Restoration 2015 project

Moved By: Neuendorf Seconded By: Lampe is hereby approved.

Yes: 7 No: 0 Absent: 0

7. Resolution 15-67 approving a contract for the sum of \$83,430.00, bonds and certificate of insurance from Blacktop Service Co. of Humbolt, Iowa and authorizing Mayor to sign the contract for the 2015 Bituminous Seal Coat Program.

Moved By: Reznicek Seconded By: Waldstein is hereby approved.

Yes: 7 No: 0 Absent: 0

- 8. Resolution 15-68 approving a Supplemental Agreement No. 2 with Stanley Consultants for the Cedar River Parkway (West) Improvements to increase the total not-to-exceed cost of the agreement for construction administration services from \$214,600 to \$271,100.
 - Council and staff discussed liquidated damages being charged for construction being completed late. The liquidated damages owed by Peterson Construction pays for additional administrative costs the City incurs due to late completion.

Moved By: Waldstein Seconded By: McKenzie

is hereby approved.

Yes: 6 No: 1 (Kangas) Absent: 0

- 9. Third and Final Reading of Ordinance 992, an Ordinance amending the Zoning Ordinance of Waverly, Iowa for inclusion of visual barrier standards between single family residential and multi-family residential or non-residential units.
 - Council and Staff Waverly Area Veterans Post (WAVP) will be held to the minimum requirements of this ordinance since ground breaking has not been done, the intent of the ordinance is for structures and parking lots for commercial uses not for greenbelts.

Moved By: Kangas Seconded By: McKenzie is hereby approved.

Yes: 7 No: 0 Absent: 0

10. First reading of Ordinance 993, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Re-zoning from Agricultural District (A-1) to Residential District (R-1) for approximately 9 acres located on the southeast side of 2nd Avenue NE and 10th Street NE and setting April 20, 2015 at 7:00 P.M. in the Ivan "Ike" Ackerman Council Chambers of City Hall as the date, time and place for a public hearing.

Moved By: McKenzie Seconded By: Lampe is hereby approved.

Yes: 7 No: 0 Absent: 0

11. Resolution 15-69, approving an agreement between the City of Waverly and Bremer County Planning & Zoning for Bremer County to facilitate inspections on an "As Needed" basis for terms set forth in the agreement

Moved By: Waldstein Seconded By: Neuendorf is hereby approved.

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

- 12. First Reading of Ordinance 995, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Re-zoning from Residential District (R-1) to Residential District (R-3) for approximately 2.7 acres located on the northwest side of 2nd Avenue NE and 10th Street NE and setting April 20, 2015 at 7:00 P.M. in the Ivan "Ike" Ackerman Council Chambers of City Hall as the date, time and place for a public hearing
 - Council and Staff reviewed usage, traffic issues, petition coming forth before agreement was in place that meets public concerns, Planning & Zoning will hold a special meeting April 16.
 - Darrel Hirsch shared his thoughts regarding attendance at Planning & Zoning meeting, voting requirements, petition, water runoff, cost of developing this area, need of a park in northeast Waverly and cost liability of for the installation of the street.

Moved By: McKenzie Seconded By: Neuendorf is hereby approved.

Yes: 7 No: 0 Absent: 0

- 13. Discussion of the Biannual Subdivision Sidewalk Infill program.
 - One homeowner has been granted a deferral due to the adjacent property being a field and the sidewalk would not lead anywhere. The need to complete critical links within the city still remains in order to complete pedestrian

connections. Requirements should be looked at again. Location of neighbors should be factored in as well as intended uses for those lots.

14. Request for IDOT review of 20th Street NW Railroad Crossing.

• IDOT staff will review request with a field visit to the site. Betty Westmeyer stated she appreciates the request going out to IDOT.

Moved By: Kangas Seconded By: Waldstein is hereby approved.

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

L. Reports from Boards and Commissions

- 1. Economic Development Commission Minutes, 03/10/15, Received into record.
- 2. Golf Commission Minutes, 03/17/15, Received into record.
- 3. Waverly Senior Center Calendar, 04/15, Received into record.
- 4. The W Monthly Revenue, 02/15, Received into record.

M. Staff Comments

The community forum for Gentleman of the Road went very well and was well attended. Tom Sather and Richard Dane were awarded Iowa Workforce Housing Tax Credits for their project. VJ Engineering will be in town this week to do a physical inspection of the green bridge since they have completed report review and have worked on their plan review. Dry Run Creek Improvements project is moving forward with demolition of homes, permit is expected yet this week or early next. MainStreet Iowa staff will be in Town on Tuesday for annual review of accomplishments, goals and staffing. Parking issues will be discussed at the April Study Session. Wednesday is the KCRG "Our Town" meeting at the Civic Center. Obermeyer and PCI were here last week to work on some of the dam issues and will be back in May to repair the gasket that ripped on the west gate. Road Closures – 2nd Avenue SW from 4th Street to the hospital will be mid-April through July, 4th Street from Bremer Avenue to 2nd Avenue SW will be after the fair into October. MidAmerican will hold meeting at 2:00 p.m. on May 7 at Civic Center regarding a new transmission line running from airport to new substation west by Wartburg. Strategic Planning will be discussed at the April Study Session. Conditions are dry – please don't burn.

N. City Council Comments

• Progress on Kwik Star south is unknown. Thank you to the police department for support of crosswalks including Facebook posts. With warmer weather upon us please keep an eye out for pedestrians and bike riders.

O. Mayor's Comments

• Commented on Wartburg scholarship efforts and the Wartburg Transforming Tomorrow Campaign.

P. Adjournment

Moved By: Kangas Seconded By: Neuendorf

To adjourn is hereby approved.

Yes: 7 No: 0 Absent: 0

Meeting adjourned at 9:06 P.M.