

Regular Meeting Minutes – May 18 , 2015
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on May 18 , 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. Approval of Agenda

Moved By: Waldstein Seconded By: Neuendorf

The agenda as presented is hereby approved.

Yes: 7 No: 0 Absent: 0

C. Approval of Minutes

Moved By: Neuendorf Seconded By: Waldstein

The May 4, 2015 regular meeting minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

D. Public Hearings

1. This was the date, time and place for a public hearing on the 2015 4 -16 5 Budget Amendment.

- Duane Liddle inquired about expenditures, borrowing capacity and bond indebtedness.

The public hearing was then closed.

- Council and staff discussion followed: debt is being paid off as new debt is acquired, not even close to legal debt capacity, items that effect budget amendment such as timing of capital projects, 2 bond issues and repair & maintenance of equipment.

Moved By: Kangas Seconded By: McKenzie

Resolution 15-77, Resolution amending the FY 2014-15 budget.

Yes: 7 No: 0 Absent: 0

2. This was the date, time and place for a public hearing to review the Waverly Municipal Airport Runway Reconstruction project plans, specifications, form of contract, and estimated cost.

- Duane Liddle spoke regarding definition of improvements, Federal Aviation Authority (FAA) funding, timing of upgrading & extension, use of residential property and safety zones.

The public hearing was then closed.

- Council and staff discussion followed including: FAA recommended 2 separate projects of rehab and widening of runway and extension since the widening of the runway does not impact adjacent property owners, new lighting and L.E.D. lighting will pay for itself over a short period of time, easement will restrict property owner from height additions to the home and costs to the City for this project are relatively low.

Moved By: McKenzie Seconded By: Neuendorf

Resolution 15-78, Resolution approving plans, specifications, form of contract and estimated cost for the Waverly Municipal Airport Runway Reconstruction project.

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

E. Public Comments on Items Not on the Agenda

- Editor of local newspaper Anelia Dimitrova introduced herself and offered to aid in answering questions regarding publication of City Council agendas in the newspaper.
- Duane Liddle asked about the need of maintenance and cleaning of the Dry Run by the bowling alley and sale barn, the cleaning and maintenance of the current and future Dry Run and if the valuations listed on Beacon web site are factored in when determining debt capacity. Staff told Mr. Liddle that they would take a look at the Dry Run by the bowling alley and the sale barn and the unwanted vegetation would be controlled with herbicides and the valuation of non-taxable buildings such as the hospital is not factored in to the debt capacity.
- Tim Bradford voiced concern regarding a letter of support for the Bremer Court Apartments project together with Jim Hurley. Mayor Infelt replied there was no need for council approval since it was only correspondence and no monies were promised and the letter only referred to past support by Council.

F. Consent Calendar

1. Pay Request from WHKS & Co. for the Dry Run Creek Improvements- 20th Street NW Dry Run Creek RCB (Reinforced Concrete Box) Final Billing for \$958.40.
2. Pay Request from WHKS & Co. for Dry Run Creek Construction Engineering Services for \$21,892.60
3. Pay Request form WHKS & Co. for Waverly Bridge Inspection- 2015 Final Billing for \$7,700.00.
4. Pay Request from Design Alliance for Waverly Public Services for Operations and Disaster Response for \$8,441.13.
5. Pay Request from Peterson Contractors, Inc. for Cedar River Parkway (West) 2013 construction services for \$290,266.23.
6. Pay Request from Peterson Contractors, Inc. for Dry Run Creek Improvements 2014 for \$229,823.67.
7. Pay Request from Boulder Contracting for Citywide Ped Ramp Construction- 2015 for \$15,023.59.
8. Pay Request from Denver Underground & Grading for 2nd St NW Storm Sewer & Roadway Improvements 2015 for \$14,088.50.
9. Pay Request from Heartland Asphalt, Inc. for 2nd Ave SW Reconstruction & Babcock Woods Trail Extension for \$80,440.77.
10. Pay Request from Blacktop Service Co. for Waverly Dog Park- Parking Lot & Citywide Asphalt Patching- Spring 2015 for \$16,918.31.
11. Pay Request from Paul Miller Design, Inc. for Golf Course Pond Project for \$312.50.
12. Pay Request from Woodruff Construction for the Outdoor Pool Renovation project for \$226,195.00.
13. Class B Native Wine Permit for Renewed Purpose.
14. Change of ownership for the Class C Liquor License for Waverly Bowl Inn.
15. Class C Liquor License for Waverly Bowl Inn.
16. Class C Liquor License for Jam Entertainment & Creative Services for Downtown- 1st Ave. NE, 4th St. SE, 1st Ave SE, 1st St.
17. Class C Liquor License for Jam Entertainment & Creative Services for Wartburg College- Max Championship Cross Country Field.

18. Class C Liquor License for Jam Entertainment & Creative Services for Wartburg College- Outdoor Athletics Field Complex.
19. Cigarette/Tobacco/Nicotine/Vapor Permit for The Fainting Goat.
20. Approval of April, 2015 Cash Disbursements.

Moved By: Neuendorf Seconded By: Waldstein

Consent Calendar is hereby approved.

Yes: 7 No: 0 Absent: 0

G. Regular Business.

1. Resolution 15-79 appointing Wells Fargo Bank, National Association of Minneapolis, Minnesota, 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: Neuendorf Seconded By: McKenzie

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 \$8,245,000 General Obligation Bonds, Series 2015B

Moved By: McKenzie Seconded By: Waldstein

is hereby approved.

Yes: 7 No: 0 Absent: 0

3. That the form of Continuing Disclosure Certificate be placed on file and approved for \$8,245,000 General Obligation Bonds, Series 2015B

Moved By: Waldstein Seconded By: Kangas

is hereby approved.

Yes: 7 No: 0 Absent: 0

4. Resolution 15-80, a Resolution authorizing and providing for the issuance of \$8,245,000 General Obligation Bonds, Series 2015B, and levying a tax to pay said bonds

- Each bond proceeding requires a separate vote in order to list specific votes from each Council person.

Moved By: Neuendorf Seconded By: Waldstein

is hereby approved.

Yes: 7 No: 0 Absent: 0

5. First Reading on Ordinance 996, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning of 12.33 acres from A-1 to R-4 on the south side of the Cedar River Parkway and for Rezoning of 1.75 acres from A-1 to C-2 on the south side of the Cedar River Parkway and setting June 1, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing

Moved By: Kangas Seconded By: Waldstein

To split the first reading of Ordinance 996 into Ordinance 996a, amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning of 12.33 acres from A-1 to R-4 on the south side of the Cedar River Parkway and setting June 1, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing and 996b for Rezoning of 1.75 acres from A-1 to C-2 on the south side of the Cedar River Parkway and setting June 1, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing and to consider separate is hereby approved.

Yes: 7 No: 0 Absent: 0

- City Attorney Bill Werger explained that parking was the main issue why a C-2 is being requested instead of adding to the mall designation. Councilman Lampe requested the two parcels be voted on and considered as two separate ordinances. The rationale being that possible future planning would be allowed in R-4 district such as single-family housing, smaller lot sizes, rental properties, apartments and multi-family housing. It is not clear what is planned, however R-4 is what was requested and R-4 would encompass any kind of easements expected at this point. R-4 is consistent with the comprehensive Land Use Plan.

- Council and staff discussion followed including: no subdivision design plan yet from developer, possible commercial district development, access for exits and entrances, waiting to re-zone, attendance of Planning & Zoning Commission and terms of commissioners continue until successor is appointed.

Moved By: Kangas Seconded By: Waldstein

First Reading of Ordinance 996a, an ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for Rezoning of 12.33 acres from A-1 to R-4 on the south side of the Cedar River Parkway and setting June 1, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing is hereby approved.

Yes: 4 No: 3 (Reznicek, Lampe and Gade) Absent: 0

- Duane Liddle questioned re-zoning legality, adjoining property and access. Mayor Infelt responded that it would still need to come for public hearing.

Moved By: Kangas Seconded By: McKenzie

First Reading of Ordinance 996b, an ordinance amending the Zoning Ordinance of Waverly, Iowa providing for Rezoning of 1.75 acres from A-1 to C-2 on the south side of the Cedar River Parkway and setting June 1, 2015 at 7:00 P.M. in the Council Chambers of City Hall as the date, time and place for a public hearing is hereby approved.

Yes: 4 No: 3 (Reznicek, Lampe and Gade) Absent: 0

6. First Reading on Ordinance 997, an ordinance amendment for 24 hour parking restriction and designated overnight spaces to be applied to all City of Waverly downtown parking lots and to prohibit parking in identified areas along 8th Street SW.

- City Administrator Phil Jones explained this would open the 4 City owned parking lots for 24 hour overnight parking except for reserved spots and restricts parking across from the alley south of DUO's and adjacent to the entrance to the same alley.

Moved By: Neuendorf Seconded By: McKenzie

is hereby approved.

Yes: 7 No: 0 Absent: 0

7. Resolution 15-81 setting policy regarding agenda publication and distribution timelines per Section 10.6 of the City of Waverly Municipal Code

- Anelia Dimitrova, editor of the local newspaper offered publishing deadlines and stated she would love for the public to be informed.

- Council and staff discussion included: Monday being too restrictive, this policy would keep it simple, only restrictive to staff, benefits to public and Council, driving up bidding costs, payments to contractors, not being able to update agenda including supporting documentation, only 2 Mondays per month to

conduct regular business unless an emergency would arise, time to review materials, process not currently broken, publication in newspaper, and ability to remove items from agenda.

Moved By: Reznicek Seconded By: Gade

Resolution 15-81 is hereby **NOT** approved.

Yes: 3 No: 4 (Waldstein, McKenzie, Neuendorf and Kangas) Absent: 0

8. Discussion and review of a proposed Urban Revitalization Plan to provide incentives for multi-family renovation and development.
- Community Development Director Bill Werger discussed different ways to offer incentives for residential development using tax rebates/abatements for blight.
 - Council and staff discussion continued on: Iowa Code Ch.404 plan, other cities in state are using this type of plan, 10 and 3 years rebate plans, studies show needed housing in Waverly, funding would come from improvements by adding valuations to tax rolls, ceiling of rebate dollars would need to be set by the City, State tax rollbacks increase until 2022 creating 50% class tax cut to local governments, development would be spurred, not the same as T.I.F. revitalization of certain parts of town, boosts in local employment levels may result with increased population, affordability, availability, various properties may be allowed to apply for incentives including single family housing, need for smaller lots, and City becoming a partner in developing the community.
9. Approve Partial List of 2014-15 Yearly Transfers.
- Moved By: Neuendorf Seconded By: McKenzie**
is hereby approved.
- Yes: 7 No: 0 Absent: 0**
10. Mayoral Appointments of David Huser, Richard Dane and Bill Wilson to be re-appointed to the Planning & Zoning Commission and Mary Meyer to be re-appointed and Kris Brunkhorst appointment to the Historic Preservation Commission.
- Moved By: Neuendorf Seconded By: Waldstein**
are hereby approved.
- Yes: 7 No: 0 Absent: 0**

H. Reports from Boards and Commissions

1. The W Monthly Revenue, March, 2015, rec'd into record.
2. Bremer-Waverly Law Enforcement Board Minutes, 04/13/2015, rec'd into record.
3. Planning and Zoning Commission Minutes, 04/16/2015, rec'd into record.
4. Historic Preservation Commission Minutes, 04/23/15, rec'd into record.
5. Monthly Financial Report, April, 2015, rec'd into record.
6. Waverly Senior Center Calendar, May, 2015, rec'd into record.

I. Staff Comments

- Waverly Chamber of Commerce Golf Outing is scheduled for May 21, Gentlemen of the Road Stopover planning and organization is moving forward, May 25 Memorial Holiday and City Services will be closed and would like to everyone to remember those who have lost their lives or who have family members that have while serving this country, the D.O.T. recommends that City apply for financing for updates on the railroad crossing at 20th Street NW, Energy Team is working on finding gains for efficiency lighting, hot water, HVAC units, and the library improvements are moving along and are on schedule.

J. City Council Comments

- Communication will be going out to the merchants on East Bremer regarding Gentlemen of the Road, last week was National Peace Officer's Week, this week is EMS week, reminder to public to be safe around large equipment around work areas in town, swimming pool is being filled and will open Saturday, May 30, residents notice the high quality City facilities around town, updates on projects include: 1st Street NW storm sewer is extended across 1st Street, 2nd Avenue SW is on schedule, and Cedar River Parkway have final touches to be completed, Memorial Day Parade with flag raising please take time to enjoy and remember, final day of K-12 school is Thursday, May 28, and study session in August would be a great time to give update on co-mingling recycling program.

K. Mayor's Comments

- Kathy Schutte is the new manager at the Senior Center.

L. Communications

- Thank you to Police Department.

M. Adjournment

Moved By: Kangas

Seconded By: Neuendorf

To adjourn is hereby approved.

Yes: 7 No: 0

Absent: 0

Meeting adjourned at 9:37 P.M.

Charles D. Infelt, Mayor

ATTEST:

Carla Guyer, City Clerk