

Regular Meeting Minutes – February 8, 2016  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on February 8, 2016 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members present were: Reznicek, Waldstein, Lampe, McKenzie, Gade, Sherer, and Kangas. Absent: None

- A. Mayor Infelt called the meeting to order.
- B. Mayor Infelt led in Pledge of Allegiance.
- C. Mayor Infelt led in prayer.
- D. Moved by Kangas, seconded by Waldstein to approve the agenda as presented.  
Motion passed. Yes: 7 No: 0 Absent: 0
- E. Moved by Lampe, seconded by Sherer to approve the January 18, 2016 regular meeting minutes and the January 25, 2016 study session minutes.  
Motion passed. Yes: 7 No: 0 Absent: 0
- F. Council welcomed Jordan Shanks as Guest Councilmember for February.
- G. Public Comments on Items Not on the Agenda.
  - Eric Vansickle commented that it would be nice to see green arrow turning signals for the intersections by Village Square Shopping Plaza.
  - Staff informed Duane Liddle that we were not aware of any streaming issues for the first budget session and staff would have to get back to him. There will be no change in elevation on Bremer Avenue due to installation of the box culverts and that the railroad bridge on 10<sup>th</sup> Avenue has more than 14 foot clearance.
- H. Consent Calendar
  1. Pay Request from Svendsen Tyler, Inc. for the Historic Preservation SW Neighborhood Survey Contract 2/15/2016-Seventh/Final Statement for \$5,738.00.
  2. Pay Request from Peterson Contractors, Inc. for the Dry Run Creek Improvements for \$66,854.16.
  3. Class C Liquor License for 4G Mexican Family, LLC d/b/a Tapatio Mexican Grill.
  4. Approval of January, 2016 Cash Disbursements.Moved by Waldstein, seconded Sherer to approve the consent agenda.  
Motion passed. Yes: 7 No: 0 Absent: 0
  - Staff informed Dick Magnall that Petersen Contractors, Inc. (PCI's) insurance company should be contacting him in the near future.
- I. Regular Business.
  1. Representatives from Waverly Utilities will present telecom information.
    - Waverly Utilities Director of Telecom, Jeff Magsamen reviewed upcoming telecommunications services that would be provided by Waverly Utilities. Mr. Magsamen said they are currently on schedule and under budget for the telecommunications project. They have decided to use Waverly-Shell Rock Booster Club to distribute starter kits door to door to every resident in Waverly. Anyone who fills out the form in the starter kit and returns it to Waverly Utilities by March 31, 2016 can become a charter member and receive one month free.

Mr. Magsamen also went through the anticipated fee schedule. They will begin an early launch in February with a full deployment in July.

2. Moved by Waldstein, seconded by Reznicek to approve a Block Party Permit for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

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

- The Waverly Volunteer Fire Department is looking for the Council to support this request so they can forward the request to the Iowa Department of Transportation (IDOT). There will be water balls competitions, fire chief races, a parade and other events for spectators to watch. The streets will be blocked much like they were for the Gentlemen of the Road event.

3. Moved by Reznicek, seconded by Gade to approve Bremer Avenue temporary closure of the 100 and 200 block of East Bremer Avenue and 2<sup>nd</sup> Street from 1<sup>st</sup> Avenue NE to 1<sup>st</sup> Avenue SE for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

Moved by Waldstein, seconded by Gade to amend the motion as follows: approve Bremer Avenue temporary closure of the 100 and 200 block of East Bremer Avenue and 2<sup>nd</sup> Street from 1<sup>st</sup> Avenue NE to 1<sup>st</sup> Avenue SE and maximum costs of \$6,500 for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

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

- The I.D.O.T. may require the Gentlemen of the Road closure plan to be re-engineered and there would be costs incurred at that time.
- The Waverly Fire Association does anticipate revenue generated from this event through fees for camping, registration fees, raffles, golfing, bowling, merchandise sales, etc.

4. Moved by Lampe, seconded by Gade for approval of 1<sup>st</sup> Street SW Closure from 6<sup>th</sup> Avenue SW to 1<sup>st</sup> Avenue SW for September 6, 7, and 8, 2016 for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

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

- This street would be re-opened after registration closes at 8:00 p.m. on September 8. The fire department would take care of the signage to close the street. This should cause no direct impact to the residents along 1<sup>st</sup> Street SW with the exception of one resident at 5<sup>th</sup> Avenue whose driveway is affected. This has not been directly addressed with the residents along 1<sup>st</sup> Street SW, however, public meetings were held at noon and 5:30 p.m. on Wednesday, February 3.

5. Moved by Kangas, seconded by Lampe to approve use of City Apparatus for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

- The use of apparatus requested would be tractor, loader or dump truck to be used as weight points for the water ball competition to hold water balls in place. Additionally, they might ask for some all-wheel drive assistance if it were to rain.

6. Moved by Sherer, seconded by Reznicek to approve Campground Improvements for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

Moved by Sherer, seconded by Kangas to table the approval of Campground Improvements for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention

until March 7, 2016 to allow time for Fire Department to prepare estimated costs on access options for the campground.

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

- The campground will utilize land in the Prairie Park Addition vicinity (north of Garner Drive and Tumbleweed) which is not conducive to large campers and trucks turning the tight corners. Main access to this area is 5<sup>th</sup> Street NE which is an un-improved asphalted road used in cases where emergency access is necessary on and off Horton Road Blacktop. In order to use the 5<sup>th</sup> Street NE access for the event, it would need substantial improvements of added rock, clearing of volunteer trees and weeds, etc. The entranceway off of 5<sup>th</sup> Street NE into the campground area will need to be widened to 40 feet to accommodate the large vehicles turning into the campground. Cedar Lane or Evans could be used as alternate options; however, this is a highly residential area. The drive would still need to be widened to 40 feet. The fire department will come back to the March 7 council meeting with estimated costs of the proposed improvements.

- Councilperson Waldstein also asked that the Fire Department present an estimated cost for usage of City apparatus.

7. Moved by Lampe, seconded by Gade to approval Golf Cart Usage for the 138<sup>th</sup> Annual Iowa Firefighters Association Convention.

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

- Traditionally, convention goes like to use golf carts to transport to and from downtown. This would be in accordance with City Code. To avoid golf cart traffic all over town, a proposed route will be brought forth at a later date.

- Council is required to approve this due to the intent the fire convention goes will be using motorized vehicles on the rail trail bridge which would normally be against City ordinance.

8. Moved by Waldstein, seconded by Sherer to approve Resolution 16-06 accepting the 2<sup>nd</sup> Avenue SW Reconstruction project and the Babcock Woods Trail Extension project as complete and approving final pay request of \$46,006.44 to Heartland Asphalt of Mason City.

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

9. Moved by McKenzie, seconded by Sherer to approve Change Order No. 2 to the construction contract with Peters Construction for the Public Services Center for Operations & Disaster Response for an increased amount of a \$16,324.72.

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

10. Moved by Waldstein, seconded by Sherer to approve Resolution 16-07 approving Final Plat, Construction Plans, and Letter of Intent for the Omni Development First Addition and Second Addition.

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

- The bank is requiring the final plat to be approved before issuing a letter of credit for the performance and maintenance guarantee is issued. Those documents will come back to Council on March 7. The final plat will not be recorded until the performance and maintenance guarantee is obtained. One letter of credit will apply for both Twin B, LLC and Omni Development, LLC and they will both be named on the document. There are two different plats.

11. Moved by McKenzie, seconded by Sherer to approve Change Order No. 2 to the Dry Run Creek Improvements 2014 project to allow the contractor to completely close West Bremer Avenue for reconstructing the entire box culvert by West 6<sup>th</sup> Street.  
Motion passed. Yes: 7 No: 0 Absent: 0
- Council and staff discussed impacts for the businesses in that area. They also discussed impacts to resident drivers. While there were some business owners and residents that wanted to go with the option of leaving two lanes of traffic open with no left turns for the five month duration, most wanted the option of complete closure of Bremer Avenue for the duration of three months. There will be built-in penalties if the project takes longer than 55 days; likewise, they could be eligible for an incentive pay to finish early. The de-incentive charge would be \$1,000 with the incentive pay being \$3,000 per working day. I.D.O.T. Criteria is used to determine the definition of a “working day”.
12. Moved by McKenzie, seconded by Kangas to approve the Third and Final Reading of Ordinance 1009, an Ordinance Amending Chapter 100 of the Waverly Municipal Code adding provisions for setbacks on decks, steps, and window wells.  
Motion passed. Yes: 7 No: 0 Absent: 0
13. Moved by McKenzie, seconded by Sherer to table Resolution 16-08 review and select a repair or replacement option for the 3<sup>rd</sup> Street SE Bridge until the March 7 Regular Business meeting. Motion was not voted on before being amended. Moved by Gade, seconded by Lampe to amend the previous motion to table Resolution 16-08 until the March 7 Regular Business meeting by changing it to table Resolution 16-08 review and select a repair or replacement option for the 3<sup>rd</sup> Street SE Bridge until the February 22 Study Session meeting.  
Motion passed. Yes: 7 No: 0 Absent: 0
- City Engineer Mike Cherry reviewed various options for the bridge.
    - > A five year repair with adding paint and some concrete work would extend the five year repair to 10 to 15 years in the City Engineer’s opinion. This option would be around \$1.1 Million.
    - > The twenty year repair would include total rebuild of the deck system, sandblast, repaint, and a concrete driving surface. This repair has estimated costs of \$3.4 Million.
    - > The \$3.1 Million would be the cost of building a new bridge and removing the old one. This would not include right-of-way purchases and temporary construction easements. There would be no need to re-locate homes. This would include approaches, retaining walls, compensation for aesthetics and/or access issues, and sidewalks on both sides of bridge. Elevations would need to be raised approximately 5½ feet at the point where the abutments for the bridge would start.
  - Council confirmed with staff that options would not include future maintenance and repairs.

- Chair of Historic Preservation Commission Don Meyer confirmed that grant funding is a possibility through the I.D.O.T. transportation alternatives program for a maximum amount of \$500,000 with no guarantees. The City would need to come up with 20% of the repair costs.
  - There has been a recent movement in the public to not spend any more money on the current 3<sup>rd</sup> Street SE bridge.
  - Council also discussed pros and cons of vehicular/pedestrian vs. pedestrian only bridge.
14. Moved by Kangas, seconded by Sherer to approve mayoral appointments of Brian Pins and Sharon Abram to The W Advisory Board and re-appoint Police Chief Richard Pursell to the Bremer County E-911 Service Board. Motion passed. Yes: 7 No: 0 Absent: 0

**J. Reports from Boards and Commissions**

1. Leisure Services Commission Minutes, January 21, 2016, Received into record.
2. Senior Center Calendar, February 2016, Received into record.

**K. Staff Comments**

- There were none.

**L. City Council Comments**

- Councilmember Waldstein thanked staff for their time in preparing for the meeting and also thanked the public for their comments and opinions.
- Councilmember Kangas reminded the public of the upcoming Budget Study Session scheduled for Saturday, February 13 at 8:30 a.m.
- Councilmember Sherer commented on quality of broadcasts.

**M. Mayor's Comments**

- There were none.

- N. Moved by Kangas, seconded by Sherer to adjourn. Motion passed and Council meeting adjourned at 10:26 P.M. Yes: 7 No: 0 Absent: 0

---

Charles D. Infelt, Mayor

ATTEST:

---

Carla Guyer, City Clerk