

Regular Meeting Minutes – March 6, 2017  
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on March 6, 2017 at 7:00 P. M. at City Hall. Mayor Infelt presided and the following Council Members were present: Gade, Kangas, Lampe, McKenzie, Reznicek, Sherer, and Waldstein. Absent: None.

- A. Mayor Infelt called the meeting to order.
- B. Mayor Infelt led in the Pledge of Allegiance.
- C. Mayor Infelt led in Prayer.
- D. Moved by Waldstein, seconded by Kangas to approve the agenda as presented.  
Moved by Kangas, seconded by Sherer to approve the agenda as amended by moving Regular Business item number four to item number one.  
**Motion passed. Yes: 7 No: 0 Absent: 0**  
Moved by Reznicek, seconded by Gade to approve the agenda as amended by removing the two Regular Business items previously numbered two and three, and amended as items number three and four.  
**Motion passed. Yes: 5 No: 2 (McKenzie, Sherer) Absent: 0**
- E. Mayor and Council welcomed Andrew Kahler as Guest Council Person for March.
- F. Public Hearings
  1. This was the date, time and place for a Public Hearing on a Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,000,000 General Obligation Bonds.
    - There were no written public comments.
    - There were no oral public comments.
    - **The Public Hearing was then closed.**Moved by McKenzie, seconded by Sherer to approve Resolution 17-25, Resolution Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,000,000 General Obligation Bonds.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
    - The bonds are for engineering and property acquisition for the Cedar River Parkway and a few smaller projects such as the cemetery road, concrete repairs at the library and city hall, and the insulation at the airport as discussed during the budget process.
      - 1a. Moved by Kangas, seconded by McKenzie to approve Resolution 17-26, a Resolution Authorizing the Issuance of \$1,500,000 General Obligation Bonds, Series 2017, and Levying a Tax for the Payment Thereof.  
**Motion passed. Yes: 7 No: 0 Absent: 0**
  2. This was the date, time and place for a public hearing on Ordinance 1020, an Ordinance Amending the Water Rates, Charges, and Minimum Rate for Fiscal Years 2017-18 2018-19.
    - There were no written public comments.
    - There were no oral public comments.
    - **The Public Hearing was then closed.**

Moved by Waldstein, seconded by Sherer to approve the Third and Final Reading of Ordinance 1020, an Ordinance Amending the Water Rates, Charges, and Minimum Rate for Fiscal Years 2017-18 2018-19.

**Motion passed. Yes: 4 No: (Gade, Lampe, Reznicek) Absent: 0**

3. This was the date, time and place for a public hearing on Ordinance 1021, an Ordinance Amending the Sewer Rates, Charges, and Minimum Rate for Fiscal Years 2017-18 2018-19.

- There were no written public comments.
- There were no oral public comments.
- **The Public Hearing was then closed.**

Moved by Sherer, seconded by Waldstein to approve the Third and Final Reading of Ordinance 1021, an Ordinance Amending the Sewer Rates, Charges, and Minimum Rate for Fiscal Years 2017-18 2018-19.

**Motion passed. Yes: 4 No: (Gade, Lampe, Reznicek) Absent: 0**

4. This was the date, time and place for a Public Hearing on the Adoption of the Multi-Jurisdictional Hazard Mitigation Plan for Bremer County, Iowa.

- There were no written public comments.
- There were no oral public comments.
- **The Public Hearing was then closed.**

Approving Resolution 17-24, a Resolution Adopting the Multi-Jurisdictional Hazard Mitigation Plan for Bremer County, Iowa.

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

5. This was the date, time and place for a public hearing on Resolution 17-23 on the proposed Budget Fiscal Year 2017 – 2018.

- There were no written public comments.
- There were no oral public comments.
- **The Public Hearing was then closed.**

Moved by Sherer, seconded by Kangas to approve Resolution 17-23, A Resolution adopting the Budget Fiscal Year 2017-2018.

Moved by McKenzie, seconded by Waldstein to decrease the levy from \$14.77 to \$14.03.

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

- The decrease would take out seventy-four cents that would have been used for repairs to the 3<sup>rd</sup> Street SE Bridge.

Moved by McKenzie, seconded by Waldstein to increase the levy from \$14.03 to \$14.18.

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

- Fifteen cents on the levy would equate to approximately seventy cents per month for every \$100,000 of taxable valuation for residential property. The fifteen cent increase will be used for purchase of property for Champions Ridge. The City will need to sell bonds. Council is faced with the question of how to use the Local Option Sale Tax (LOST) funds on projects going forward. Engineering

costs for the Cedar River Parkway would be eligible for Local Option Sales Tax funds (LOST). A project to repair the 3<sup>rd</sup> Street SE bridge and convert it into a pedestrian only crossing would require more engineering and going back through the regulatory process. The bridge may be required to be elevated out of the floodway since this would be a change in the use of the bridge. It would also require going through an entire bid letting and public hearing process again. Overall, it would be approximately eight months or more to get to the point of a bid-letting. Engineering would cost approximately, an additional \$50,000. Costs of a pedestrian only bridge were discussed. A few of the items that would need to be looked at would be: the longevity of a pedestrian only bridge, removal of the sidewalk, elevating the bridge, change in piers, abutment and approach designs. The bridge repair fund currently has a deficit. Further work could be done on the budget. The City has to follow timelines dictated by the Iowa Code in certifying the City budget.

To approve Resolution 17-23, A Resolution, as amended, adopting the Budget Fiscal Year 2017-2018.

**Motion passed. Yes: 4 No: (Gade, Lampe, Reznicek) Absent: 0**

G. Public Comments on Items Not on the Agenda

- Dean Soash expressed that he is disappointed that the Council turned down the bid to repair the 3<sup>rd</sup> Street SE bridge.
- Warren Zemke spoke regarding a private citizen's actions regarding the United States Flag and a Councilmember's comments on social media.
- John Campbell commented on the treatment of speakers at both open meetings of the City Council and one on one meetings between residents and staff and the City Council.

H. Consent Calendar

1. Pay Request from Asplundh for the Trail Vegetation Project for \$8,026.60.
2. Pay Request from Asplundh for the Trail Vegetation Project for 618.00.
3. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the Comprehensive Plan review for \$1,620.00.
4. Pay Request from Quality Flow Systems, Inc. for a Replacement Pump for 6<sup>th</sup> Avenue NW Lift Station \$10,229.76.
5. Pay Request from Asplundh for the Trail Vegetation Project for \$8,026.60.
6. Pay Request from Asplundh for the Trail Vegetation Project for \$618.00.
7. Pay Request from WHKS & Co. for the 3<sup>rd</sup> Street SE Bridge Repairs 2016 for \$13,279.60.
8. Pay Request McClure Engineering Co. for the Waverly Municipal Airport Land Acquisition 2012 for \$1,003.03.

Moved by Sherer, seconded by Waldstein to approve the Consent Calendar as presented.

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

- The \$13,279.60 to WHKS & Co. for the 3<sup>rd</sup> Street SE Bridge Repairs 2016 is being paid out of the bridge repair account that is currently operating as a deficit. This is the final bill. To cover the deficit the money will have to come from another fund.

I. Regular Business.

Amended as item number 1, it was item number 4 before the amendment.

Moved by Kangas, seconded by McKenzie to approve Resolution 17-30, a Resolution Authorizing Purchase of 62.49 acres of additional property from the Smith Estate/Trust for the Champions Ridge Project for \$579,157.32.

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

- An option to purchase real estate for the Champions Ridge project was brought to Council on December 5, 2106. The option was voted down with a vote of Yes: 3, No: 2, and Absent: 2. This came back to Council with changes in the resolution. The changes included: more precise timing definitions for fund raising and a business plan.

- Champions Ridge President Greg Miller addressed Council and thanked City Staff for their help in pulling the proposal together. The Champions Ridge Committee feels they should be able to reach the goals set for fund raising. Terry Hinrichs of the general development group informed Council that the Neil Smith Estate approached the committee with a last chance to purchase the property. The ball groups have committed \$100,000 to be paid over three years. The fair board has approximately 80% of their half of the land purchase paid for. The land will need much grading. The amount of grade work to the ground is factored into the cost totals. The committee is hoping to have the National Guard use this area as an excavation training facility and they will do portions of the grade work. Bremer County Board of Supervisor Tim Neil confirmed that the County approved their budget and they have \$90,000 in reserves in their fiscal year 17-18 budget for the Champions Ridge project. Having this resolution passed and the support of Council will mean a great deal to fundraising efforts. John Campbell objected to the manner in which the resolution was brought forward. The resolution was changed enough to qualify it to be brought back to Council. Mr. Campbell mentioned the economic state of Iowa and the funding for schools and colleges being so poor. This land could be another industrial park, and the current infrastructure will not support the entities that are planned for the property.

- Council discussion followed. The last two WHEREAS on page one defines that there is a \$1,000,000 goal by December 31, 2017 and further financial commitments in place to complete phase 1 site completion in 2018, together with an updated operational business plan. A big thank you was extended to the Champions Ridge Committee for their determination and dedication to the project. The resolution was brought back to Council with changes and in a different calendar year. This project will help Waverly become a destination city. This can be one of the largest projects that has ever taken place in the town. Having goals and plans tend to ease the mind, especially when knowing there are options if goals are not met. Concerns were shared of how realistic the funding goals are with the City already having such a full plate. The City's commitment to this project is very close to \$1,000,000. The City definitely supports this project. Recreation needs to play a bigger part in City government.

Amended item number 2.

Moved by Kangas, seconded by Sherer to approve Resolution 17-27, A Resolution Accepting the Dry Run Creek Improvements 2014 as complete and approving Change Order No. 5 for a net decrease of \$22,789.11 and Pay Estimate No. 26 for \$301,775.41 as the final payment to Peterson Contractors, Inc. of Reinbeck, Iowa.

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

- Dick Magnall addressed Council with concerns of finalizing Dry Run Creek Improvements 2014 project. Mr. Magnall is concerned with cracks in the concrete and insulation of the sewer line. There is redundancy at this location, meaning that if a blockage were occur in the sewer line, there is a secondary line that would be used. There is a two year maintenance agreement that will begin once the project is finalized.
- The FEMA Letter of Map Revision (LOMR) should be complete in September or October of this year.

Amended item number 3. This item was removed from the agenda as amended.

Resolution 17-28, a Resolution Authorizing Acquisition of Property by Eminent Domain for the Clan Properties, LLC Real Property for the Waverly Municipal Airport Safety Zone Project for the Appraised Fair Market Value of \$285,000.

Amended item number 4. This item was removed from the agenda as amended.

Resolution 17-29, a Resolution Authorizing a Contract, for Legal Services, Between the City of Waverly and Kevin Arenholz of Beecher, Field, Walker, Morris, Hoffman & Johnson, P.C. for Legal Services for Eminent Domain Proceedings for the Acquisition of Certain Real Property for the Waverly Municipal Airport Safety Zone Expansion Project for an hourly fee of \$200 per hour for all services performed under this contract for attorney time, and \$95.00 per hour for time devoted to this matter by legal assistants and paralegals, plus expenses incurred with 90% of contract cost being reimbursed from FAA.

J. Reports from Boards and Commissions

1. Waverly Historic Preservation Commission Minutes; January, 23, 2017; Received into record.
2. Bremer-Waverly Law Enforcement Board Minutes; February 13, 2017; Received into record.
3. Golf Commission Minutes; February 14, 2017; Received into record.
4. Waverly Senior Center Calendar; March, 2017; Received into record.

K. Staff Comments

- Good luck to Waverly-Shell Rock Boys Basketball team at State competition.

L. City Council Comments

- Councilmember Reznicek also wished the boys basketball team good luck.
- Councilmember Kangas commented further regarding Warren Zemke's concerns.
- Councilmember Sherer congratulated the Wartburg's Men's Basketball Team on their success so far.

- Councilmember McKenzie thanked the City Staff for their work on the budget.
- Councilmember Gade remarked on comments regarding social media posts regarding the United States Flag.
- Guest Councilmember Andrew Kahler thanked Council for action taken on Champion Ridge. Mr. Kahler added that he feels the City has great soccer complexes and The W is great for kids. Recreation is important for the millennials and their children.

M. Mayor's Comments

- Mayor Infelt thanked all for participations and listening.

N. Moved by Kangas, seconded by Sherer to adjourn. Motion passed and Council meeting adjourned at 9:40 P.M.      **Yes: 7      No: 0      Absent: 0**

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Timothy C. Kangas, Mayor Pro-Tem

ATTEST:

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Carla Guyer, City Clerk