

Regular Meeting Minutes – November 20, 2017
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on November 20, 2017 at 7:00 P. M. at City Hall. Mayor Pro-Tem Kangas presided and the following Council Members were present: Gade, Kangas, Lampe, McKenzie, Sherer, Waldstein. Absent: Reznicek and Mayor Infelt

- A. Mayor Pro-Tem Kangas called the meeting to order.
- B. Moved by McKenzie, seconded by Waldstein to approve the agenda as amended by moving Regular Business item number 8 to Regular Business item number 2.
Motion passed. Yes: 6 No: 0 Absent: 1
- C. Oath of Office
1. Administrator James Bronner administered the oath of office to upcoming Council Members Rodney Drenkow, Brian Birgen, and Ann Rathe, and Council Member Timothy Kangas for a renewed term, and Hospital Board of Trustees Roger Johnson and Barbara Lutz for their renewed terms.
- D. Proclamation
1. Moved by Gade, seconded by Sherer to approve a proclamation, proclaiming November 28, 2017 as “Giving Tuesday”.
Motion passed. Yes: 6 No: 0 Absent: 1
- E. Public Hearings
1. This is the date, time and place for a public hearing on an Ordinance Adopting the “City Code of the City of Waverly, Iowa.”
 - There were no oral or written comments.**The Public Hearing was then closed.**
Motion passed. Yes: 6 No: 0 Absent: 1
- F. Public Comments on Items Not on the Agenda
- Waverly Health Center CEO Jim Atty thanked the Hospital Board of Trustees Members, Roger Johnson and Barbara Lutz, for their time and effort and gave additional thanks to the Hospital Board of Trustees as a whole for being key in the growth and sustainability of the hospital. He also thanked the Board for providing support to the hospital staff. Mr. Atty also thanked Council for their time on behalf of the hospital and he looks forward to working with the oncoming Council members. Council, then, also thanked Jim Atty for his service to the community.
- G. Consent Calendar
1. Pay Request from WHKS & Co. for the 3rd Street SE Pedestrian Bridge 2017 for \$3,578.48.
 2. Pay Request from AECOM for the SE Waverly Flood Protection 2017 for \$9,250.24.
 3. Pay Request from McClure Engineering for the Airport Bulk Hangar Improvements 2017 for \$875.00.
 4. Pay Request from McClure Engineering for the Airport Runway 29 Extension 2018 for \$16,206.75.
 5. Pay Request from McClure Engineering for the 20th Street NW Reconstruction 2018 for \$25,504.10.
 6. Class E Liquor License for Hy-Vee, Inc.
 7. Class C Beer Permit for Kwik Star #752.
 8. Class C Liquor License for Prairie Links Golf and Event Center.
 9. Cash disbursements for October, 2017.

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

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

- All necessary property has been acquired for the Airport Runway 29 Extension.

H. Regular Business.

1. South Riverside Park presentation by AHTS Architecture.

- Larry Kurtz and Andrew Bell of AHTS Architecture reviewed a proposed master plan for renovation of South Riverside Park (south of the fire station).

Mr. Kurtz explained that the development of the master plan included: preservation of the exchange building, produce building options, improved river access, and feasibility of the farmer's market relocation. The Exchange Building used to be a train depot and this particular building is probably in the better condition of the two buildings on site. The building can be adapted to serve as support functions for the park as it grows. A possible name for the park might be the Exchange Park. The emphasis could be on the building and the rail yard history and the district that it adjoins. The exterior of the Exchange Building is in good condition considering its age. Mr. Bell summarized that the preservation of the Exchange Building would be part of continuing the historic preservation of the neighborhood. The roof would need repaired, woodwork along the edges would need to be scraped and repainted (with some sections needing to be replaced), the window openings would need to be renovated, some tuck pointing and cleaning of the exterior walls is needed, and the weight scale part of the weigh station that formally was used to drive trucks onto in order to weigh produce could be repaired and incorporated visually for the public to add understanding of what the building was. It is also felt that interpretive signage (possibly located on the north wall) would also be of value in order to explain the history of the building and adjoining rail yard. The old weigh station might be an appropriate place to bring a primary path through and in front of the park. The interior of the Exchange Building could potentially be a skull of a farmers' market or potentially identify a vendor. For example, a business like a Roger's Market that would be able to lease the space for more than a weekend at a time basis. Mr. Kurtz further explained that the current farmers' market lacks in amenities for restrooms, electric power, seating, shelter, and it has low visibility and traffic. Having those amenities would encourage more farmers' market activities such as song and dance. The restroom could be enlarged to make it more functional for the park as the park grows. The Produce Building, the longer building on the site, is currently vacant. This building is quite dilapidated with all four sides experiencing cracking and the roof has issues. The foundation is most likely a symbol of the history of the building since Waverly used to have a local textured block factory. It is likely that the block of the foundation was made at that facility. The building has a trapezoidal shape due to being built around the rail system. Demolishing the building and keeping the foundation could be a most interesting feature of the park. Plans to improve access to the river would involve cleaning up the garbage, debris, glass and concrete, and clearing of some foliage. The river does have a good rocky bottom to enhance walkability. Provisions for low slope access to accommodate for ADA access could be added. The committee envisions incorporating natural seating and play with a water play feature and reflections on history with the Farmers Exchange Building and the Rail Road. A master plan drawing was shown and included: a renovated Exchange Building, construction of an open structure over the old storage building, a potential for different access for buses, handicapped parking, a plaza with a possible splash pad, and the flexibility for an

expanded farmers market. The total estimated costs for phases 1, 1A, 2, and 3 are \$1,174,120.

- § 2. Moved by McKenzie, seconded by Lampe to approve the First Reading of Ordinance 1029, an Ordinance amending the Zoning Ordinance of Waverly, Iowa, providing for rezoning of 4.40 acres on the northwest corner of 4th Street SW and 10th Avenue SW from Single Family Residential (R-1) to Commercial (C-2) and for amending the Waverly Future Land Use Map from Residential to Commercial and Setting December 4, 2017 at 7:00 P.M. in the Council Chambers of City Hall as the date, time, and place for a Public Hearing.

Motion passed. Yes: 4 No: 2 (Gade, Lampe) Absent: 1

- Casey's Marketing Company has acquired the owner's signature of land which is sought to be purchased for the establishment of a gasoline service and convenience store. An existing residence sits on the property. Plans call for the residence to be removed and replaced by the convenience store, associated parking, and drive surface areas. The preliminary site plan submitted for review depicts that Casey's desires access to 4th Street SW and 10th Avenue SW. The location on 4th Street SW is governed by the Iowa Department of Transportation, and an application for entrance will need to be reviewed. Access to 10th Avenue SW is governed by the City Municipal Design Standards and will be evaluated for conformance once a final site plan is submitted for review. The proposed C-2 zoning district provides for commercial uses primarily oriented toward automobile traffic or requiring amounts of space too great to be located in the central business district. The Future Land Use Plan (FLUP) supports the proposed change from Residential to Commercial classification. The FLUP shows the frontage of land as Commercial. There are several residential condominiums and single-family residences to the north of the subject property which may be negatively impacted by sights and sounds associated with a convenience store present or most any commercial use. The City Zoning Code requires a visual barrier of trees, fencing or mounding and shrubs. Staff recommends to the developer a desire to retain most of the existing mature trees currently on-site and to add a degree of buffering which will minimize the impact of a commercial use onto the adjacent residences. To the east is 4th Street SW and the City Cemetery. To the south is 10th Avenue SW and a church. To the west is the City Golf Course with a low-lying floodplain area. The requested zoning ordinance amendment to C-2 was considered by the Planning & Zoning Commission at their November 2, 2017 meeting. The Commission recommended approval of the change of use to C-2 with a vote of six "yes", one "no" and two "absent". General discussion of the residents and Commission members included concerns for driveway access and traffic congestion, screening to the north, sounds from a 24-hour convenience store, and storm water drainage. City considerations with this request include reviewing traffic impacts with proposed entrance drives. Council expressed that they would like to see concerns of residents addressed and that they have an opportunity to speak. Staff will try to have a response from the I.D.O.T. for the public hearing.
- Wally Pelds of A. Leo Pelds Engineering Company reviewed the preliminary site plan for the Casey's site. He shared an interior view. Mr. Pelds also presented an aerial view that portrayed the proposed exterior layout of the plan with the drives, fencing that would separate properties, the main facility, a carwash, and a canopy bay. L.E.D. lighting is used at all Casey's locations, and the metal plates within the light fixtures can be adjusted to change the direction of lighting. Given the grading of the project, some of the mature trees may be able to be saved, depending on the type of tree.

It is proposed to have fully enclosed doors to the carwash that will close during operation after 5:00 PM. Casey's will defer to the I.D.O.T. for dictating how they would like the flow of traffic in and out of the facility. The west half of the property lies in a floodway district. That portion will remain green space and will allow Casey's to lessen some of the storm water detention since there will be so much green space compared to hard surface. Also proposed is an underground storm water detention. The runoff would run towards the golf course. Bryce Luhning, Real Estate Developer for Casey's General Stores, explained that this location is the most desirable, and they have not looked at other locations. If this project is completed, Waverly will remain having two stores. Mr. Pelds suggested that residents contact him with any questions prior to the December 4 public hearing.

- Jim Janssen told the Council that the residents are still in the information gathering process and would like the opportunity to express thoughts and concerns at the December 4 public hearing.

- 2 3. Moved by Sherer, seconded by McKenzie to approve purchase of Civic Center Replacement Restroom Partitions from Ramker Construction of Waverly, Iowa for \$10,715.

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

- The current partitions with doors are 25 years old. They are unsightly and lack in workability. The doors and partitions could be painted; however, paint does not fix the non-workability issues.

- 3 4. Moved by McKenzie, seconded by Sherer to approve Resolution 17-132, A Resolution Certification Filed by the Finance Director to the Bremer County Auditor Detailing the Amount of New Loans, Advances and Indebtedness which Qualify for Payment from Tax Increment Revenues of the Waverly Unified Urban Renewal Plan.

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

- 4-5. Moved by Sherer, seconded by Waldstein to approve Resolution 17-133, A Resolution authorizing the preparation of a Professional Services Agreement (PSA) with McClure Engineering Company for the preparation of construction plans and specifications for the Railroad Crossing Improvements project at 20th Street NW and 5th Avenue NW.

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

- The 20th Street NW Reconstruction project includes the progression of 30% preliminary engineering plans for costing, scoping and right-of-way acquisition. The limits of impact anticipate full-depth reconstruction and transition from a rural to urban roadway corridor of approximately 7,930 feet of 20th Street NW from 5th Avenue NW to 205th Street. This project also includes preliminary engineering for the reconstruction of approximately 350 feet of the railroad crossing approaches on 5th Avenue NW. The project could be done in two phases. The first phase would include reconstruction of the railroad approaches and work to Knight Avenue.

- 5 6. Moved by Lampe, seconded by McKenzie to approve Resolution 17-134, A Resolution accepting the Sanitary Sewer Manhole Rehabilitation 2017 project as complete and approving final pay request in the amount of \$23,671.10 to Visu- Sewer, Inc. of Pewaukee, Wisconsin.

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

6 7. Moved by McKenzie, seconded by Sherer to approve Resolution 17-135, A Resolution approving the FAA Application for Federal Assistance for the Airport Runway 29 Extension project at the Waverly Municipal Airport.

Motion passed. Yes: 4 No: 2 (Gade, Lampe) Absent: 1

- FAA likes to have the Professional Services Agreement (PSA) completed before any work is done on the application for federal assistance. This is the same process that has been done in the past.

7 8. Moved by Gade, seconded by Lampe to approve Resolution 17-136, A Resolution approving the acquisition of a parcel by tax sale of \$343.00 for additional right of way in the southwest corner of the intersection of 4th Street SW and Technology Place.

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

- This parcel seems to have been overlooked when adjacent property was sold. The City acquired the larger parcel to the east of this parcel at the southwest corner of the intersection of 4th Street SW and Technology Place. Part of this parcel includes a drainage ditch that takes water from a storm sewer pipe under 4th Street SW. Acquisition of this parcel allows the City to control this entire right-of-way and drainage area. The City will still have to go through the notice process to receive the tax deed from the County. There have been no property taxes paid on this property since 2011. Intersection improvements may be made to the property at the landowner's request.

I. Reports from Boards and Commissions

1. Airport Commission Minutes; September 14, 2017; Received into record.
2. Monthly Financial Report; October, 2017; Received into record.
3. Leisure Services Commission Minutes; October 19, 2017; Received into record.
4. Senior Center Calendar; November, 2017; Received into record.

J. Staff Comments

- City Engineer/Public Works Director Mike Cherry noted special garbage and recycling collection schedules for the Thanksgiving holiday and added that the yard waste site will be closing on December 2 for the season. All four lanes of Bremer Avenue and the side streets will possibly be opened up the week of the November 27 to December 1.

K. City Council Comments

- Councilmember Gade encouraged the City to work with the Waverly Country Club on the decisions coming up regarding a Golf Pro.
- Staff informed Councilmember McKenzie that there are no study session items slated for November 27. Staff further informed McKenzie that the "BUMP" on the west side of Bremer Avenue will be getting fixed in a few days. The Department of Revenue tracks usage of Local Option Sales and Service Tax (L.O.S.S.T).

Mayor's Comments

- Mayor Pro-Tem Kangas encouraged residents to "Shop Local" on Small Business Saturday and wished everyone a happy Thanksgiving.

M. Moved by McKenzie, seconded by Sherer to adjourn. Motion passed and Council meeting adjourned at 8:33 P.M. **Yes: 6 No: 0 Absent: 1**