

Regular Meeting Minutes – April 3, 2017
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on April 3, 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 Kangas, seconded by Waldstein to approve the agenda as presented.
Motion passed. Yes: 7 No: 0 Absent: 0
- E. Moved by Sherer, seconded by Waldstein to approve the March 20, 2017 regular meeting minutes.
Motion passed. Yes: 7 No: 0 Absent: 0
- F. Council welcomed Brian Birgen as the Guest Councilperson for April.
- G. Public Comments on Items Not on the Agenda.
 - Justin Scott commented on equal representation for Christians, atheists and all other beliefs during council meetings.
- H. Consent Calendar.
 - 1. Two Pay Requests from Asplundh for the Trail Vegetation Project for \$8,026.60 and \$618.00.
 - 2. Pay Request from Iowa Northland Regional Council of Governments (INRCOG) for the Comprehensive Plan review for \$240.00.
 - 3. Pay Request from Stanley Consultants, Inc. for the Cedar River Parkway, Phase 2, Final Design for \$20,718.00.
 - 4. Pay Request from Baker Concrete and Excavating for the Waverly Golf Course Pond Project for \$23,013.75.
 - 5. Class E Liquor License for Wal-Mart Stores, Inc.
Moved by Sherer, seconded by Lampe to approve the consent calendar.
Motion passed. Yes: 7 No: 0 Absent: 0
- I. Regular Business.
 - 1. Moved by Waldstein, seconded by Kangas to approve Resolution 17-38, A Resolution Awarding the 39th Street SE Slurry Sealing Project 2017 to Fort Dodge, Iowa for the bid amount of \$34,322.72.
Motion passed. Yes: 7 No: 0 Absent: 0
 - This project involves placing a thin asphaltic surface treatment similar to the seal coating. However, rather than sprinkling aggregate chips on bituminous oil, the aggregate chips are pre-coated with oil prior to placing. This process is typically a day long process requiring the street to be closed for 4, 6, or 8 hours depending on the temperature and humidity. This process is about twice the cost of seal coating. There is not any aggregate waste.
 - 2. Moved by Lampe, seconded by Sherer to approve Resolution 17-39, A Resolution Awarding the Sanitary Sewer Manhole Rehabilitation 2017 Project to Visu-Sewer, Inc. of Pewaukee, Wisconsin for the bid amount of \$23,874.00.
Motion passed. Yes: 7 No: 0 Absent: 0
 - This project involves repairing and installing a protective liner inside sanitary sewer manholes that are deemed to be in poor condition or have storm water infiltration issues. There are over 1,200 sanitary sewer manholes within the community, and we are primarily concentrating on the brick manholes that were installed around the 1930’s.

An alternative would be to do a total manhole replacement which is very destructive with tearing up the street and could possibly cause settlement issues in years to come. It is possible through an inspection process that manholes would need to be replaced over the course of years.

3. Moved by Sherer, seconded by Kangas to approve the purchase of a Kubota Tractor from Deike Implement of Waverly, Iowa for the net delivered price of \$46,680.00, which includes the trade in of the 1997 White 6065 Tractor for \$12,000.

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

- There were five bids received with the low bid being received from Deike Implement. This utility tractor will be used primarily for roadside mowing and other similar applications. The current tractor is 20 years old and is leaking oil.

4. Moved by McKenzie, seconded by Sherer to approve Resolution 17-40, A Resolution Approving a Lease for City of Waverly owned Farmland to Mark Mueller for 35.30 acres, for \$9,601.60, to be paid in one increment on May 1, 2017 located at Champions Ridge.

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

- This land is part of Champions Ridge that will be leased as farmland until it is ready to be built upon.

5. Moved by Kangas, seconded by Sherer to approve Resolution 17-41, A Resolution Approving a Master Agreement for On-Call Engineering Services with McClure Engineering Company for the Waverly Municipal Airport.

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

- On-call engineering services are limited to those projects which are expected to be initiated within 5 years. Subject to funding availability, these projects may include: Extend Runway 29, Bulk Hangar Insulation Improvements, Construction of Airplane Hangars and Taxilanes, and Additional On-Call Services as needed Over the Next Five (5) Years. These tend to be more complex projects and cannot be done "in-house".

6. Moved by McKenzie, seconded by Sherer to approve 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.

Motion passed. Yes: 4 No: 3 (Gade, Lampe, Reznicek) Absent: 0

- Christine Elley explained that the surviving family members formed an L.L.C. in an effort to try keeping the farm in the family. Ms. Elley noted that they felt they have received ridiculous proposals. She went on to explain that the house has had fire damage, but the family has not repaired any of it since they were unsure of the outcome of the property and whether the house would be torn down. The family has paid real estate taxes on the property including the house. Ms. Elley said that the family knows what the property is worth and what the neighbors received for their properties. The family has not had an appraisal of the property completed.

- The City cannot move forward with the runway extension project until the Safety Zone acquisitions are completed. The need to expand the land strip by 400 feet is necessary to increase safety, aid in the control of insurance premiums for the aircraft operators, and to receive funding aid from the FAA. The amount of usage the airport receives was discussed. The City has had the property appraised twice and the appraised amount has dropped since the first appraisal. This is a transportation corridor and this is an opportunity to look forward as done with all transportation. The number of acres being requested was reduced to 13.6 acres in 2014. It was offered that the

family could keep using the buildings, well, driveway, and the offer was raised above fair market value. This offer was very similar to what the neighbors were paid since they were paid 10% above their appraised values. There was not a counteroffer made in 2014. There is a limit as to what the FAA will allow the City to offer for the property. There was an insurance settlement paid for the fire damage done to the house. Before he passed away, the father of the family had an agreement with the City for the City to purchase the land from him. The runway expansion would allow for more use of the airport, which, in turn, would allow for more hangars to be constructed and more rent revenue to be collected.

7. Moved by McKenzie, seconded by Kangas to approve 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.

Motion passed. Yes: 4 No: 3 (Gade, Lampe, Reznicek) Absent: 0

- The City will contract with this law firm for services on a per hour basis together with expenses incurred. The FAA will reimburse the City for 90% of this cost as part of the grant for the project. Hiring an outside firm for this process separates the roles of negotiations and legal proceedings to allow continued negotiation during the litigation process.

Motion passed. Yes: 4 No: 3 (Gade, Lampe, Reznicek) Absent: 0

8. Discussion of 3rd Street SE Bridge Options.

- This item was placed on the agenda to clarify that even though the proposed option to repair the bridge was voted down the City can explore other options. Postponement of the repair project allowed for an opportunity to not have an additional project of such large proportions impact the budget. The historic nature of the bridge could be retained by seeing what it would take to convert it to a pedestrian only bridge. There is about a 90% chance that it will be required to raise the bridge so it would be out of the flood plain although, additional flood control can also be looked at on 7th Avenue SE as a means of leaving the current bridge at its current elevation.

From a historic standpoint, the group known as Residents for Repair would be agreeable to a new, truss style, pedestrian bridge. A pedestrian bridge would make accessibility to Southeast Elementary much easier for those children who walk or ride their bicycles to school. With some research from Minowa, a new, truss style, pedestrian only, pre-fabricated bridge would cost approximately \$1.4 Million. If the current bridge were to be made into a pedestrian only bridge it would be an opportunity to see what costs would be to make the current bridge accessible to emergency vehicles and Waverly Utilities vehicles. It only has a weight limit of 5 tons so that is at the minimum limit. Other comments from neighborhood citizens were that they would not be in favor of a pedestrian only bridge. A number of people also want a vehicular crossing, especially those with young children, but some of the residents in the southeast neighborhood do not feel that a 2-lane bridge at that location should be an option. City staff will contact the school district to visit with them regarding the intentions of district alignment. The S.E. Flood Study is funded in the next fiscal year.

There would also be an opportunity to focus on other projects such as 20th Street NW, Cedar Lane, Nutrient Reduction System and Bremer Avenue for a couple of years while the process for moving forward with the possibilities for the bridge were discussed.

The bridge can sit, as is, while waiting to decide what action the Council will choose.

Once the Council chooses a direction, the City would have to take a look at what would be needed for engineering, engineering time frame, and costs.

J. Reports from Boards and Commissions

1. Board of Adjustment Minutes; March 13, 2017, Received into record.

K. Staff Comments

- City Attorney Bill Werger informed Council that the Bremer Avenue project was rained out this day. Paula Stevenson will be the business liaison. The public should watch for updates on the City's Facebook page and the City's website at www.waverlyia.com (there will be a link for Bremer Avenue Reconstruction).

L. City Council Comments

- At a recent Cedar Valley Chamber Alliance meeting the Accel Group and CUNA Mutual Group were recognized for their diversity.

M. Mayor's Comments

- Café 506 will be open 11:30 a.m. to 1:30 p.m. one day each month starting Tuesday, April 4 at the Senior Center and will benefit the Senior Center and the Veterans.

N. Moved by Kangas, seconded by Lampe to adjourn. Motion passed and Council meeting adjourned at 9:08 P.M. **Yes: 7 No: 0 Absent: 0**