

Regular Meeting Minutes – November 16, 2020
Ivan “Ike” Ackerman Council Chambers

A Regular Meeting of the Waverly City Council was held on November 16, 2020 at 7:00 P. M. at City Hall. Mayor Hoffman presided.

The Governor of Iowa has declared a Public Emergency because of the COVID-19 outbreak. The Mayor has determined that an in-person meeting of the City Council is impossible or impractical without violating the Governor’s mandates.

When an in-person meeting is "impossible or impractical," Iowa Code Section 21.8 permits a governmental body to conduct a meeting by electronic means.

The meeting was conducted by video conference using ZOOM from the Council Chambers. The Mayor Adam Hoffman and City Clerk Carla Guyer were in the Council Chambers. The 7 Council members were not in the chambers, but participated via ZOOM conferencing.

Comments for items on the agenda or the Public Hearing could be made by submitting them prior to the meeting to the City Clerk, Mayor or any of the Council members or by calling 319-596-0179 during the meeting.

The video/audio conference of the meeting was broadcasted on the normal public access channels. Staff strived to maintain the quality of the video and audio during that broadcast. Public access was available through this broadcast.

Meeting minutes were kept and included a statement explaining why an in-person meeting was impossible or impractical.

A. Mayor Hoffman called the meeting to order.

B. Roll Call

- Present: Beaufore, Birgen, Drenkow, Glaser, Kangas, Rathe, and Schneider Absent: None
- Council also welcomed Blake Yanda as Guest Council person for the month of November.

C. Moved by Rathe, seconded by Drenkow to approve agenda as presented.

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

D. Moved by Glaser, seconded by Drenkow to approve the October 19, 2020 regular meeting minutes, the October 26, 2020 work session minutes, and the November 2, 2020 regular meeting minutes.

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

E. Public Hearing

1. This was the date, time and place for a public hearing on the proposed Amendment No. 6 to the Waverly Unified Urban Renewal Plan in the City of Waverly.

- **There were no oral or written public comments.**
- **The public hearing was then closed.**

Moved by Drenkow, seconded by Birgen to approve Resolution 20-170, a Resolution determining an area of the City to be an Economic Development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting Amendment No. 6 to the Waverly Unified Urban Renewal Plan.

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

• City Attorney/Community Development Director Bill Werger explained that this Urban Renewal Plan amendment is being proposed to remove Red Fox and Meier-Hanson properties from the current unified TIF to allow them to be placed in a new West Waverly Urban Renewal Plan which has a blight designation.

1a. Moved by Glaser, seconded by Beaufore to approve the First Reading of Ordinance 1080, amending the current Waverly TIF Ordinance 1066 in connection with the approval of Amendment No. 6 to the Waverly Unified Urban Renewal Plan.

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

2. This was the date, time and place for a public hearing on the proposed adoption of the West Waverly Urban Renewal Plan.

- **There were no oral or written public comments.**
- **The public hearing was then closed.**

Moved by Drenkow, seconded by Birgen to approve Resolution 20-171, a Resolution determining an area of the City to be an Economic Development and Blighted area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the West Waverly Urban Renewal Plan.

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

- This action would put the two new parcels into a new West Waverly Urban Renewal Plan which has a blight designation. This designation gives the City more options to provide blight mitigation grants for the commercial and housing aspects of the proposed project. This resolution approves the adoption of the new Urban Renewal Plan.

2a. Moved by Rathe, seconded by Birgen to approve the First Reading of Ordinance 1081, establishing a new TIF Ordinance in connection with the adoption of the West Waverly Unified Urban Renewal Plan.

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

3. This was the date, time and place for a public hearing on the proposal to enter into a Purchase, Sale, and Development Agreement with 1859 Ventures, LLC for the property formerly known as the Red Fox Inn located at 1900 Heritage Way.

- **There were no oral or written public comments.**
- **The public hearing was then closed.**

Moved by Schneider, seconded by Kangas to approve Resolution 20-172, a Resolution approving and authorizing execution of a purchase, sale, and development agreement by and between the City of Waverly and 1859 Ventures, LLC.

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

- The sale of property to 1859 Ventures, LLC will be subject to the terms and conditions of the Development Agreement. The Development Agreement contains incentives that will include Tax Increment Financing (TIF) rebates over 6 years using a sliding scale percentage of the incremental property tax revenues generated by the project. It will also include a 50% rebate of Hotel/Motel (H/M) tax generated by the project over 7 years. The Development Agreement will set minimum assessments of the property. The Bremer County Assessor was worked with in determining future valuations for the properties and the amounts seem reasonable. The improvements have begun. The agreement sets out the incentives available for the project and also restricts the ability of the developer to sell any part of the property without consent from the City. The agreement also allows the City to have a process to get the property back in the case that the developer does not perform on the agreed upon improvements.

F. Consent Calendar

1. Set the Public Hearing date for January 4, 2021 at 7:00 P.M. in the Council Chambers of City Hall to review the Public Services Center- North Addition 2021 project Plans, Specifications, Form of Contract and Estimated Cost.
2. Pay Request from Snyder & Associates for the 4th Street SW and 10th Street SW Reconstruction 2020 for the amount of \$44,878.35.
3. Pay Request from WHKS & Co. for the 3rd Street SE Bridge Removal for the amount of \$4,164.30.
4. Pay Request from Steege Construction, Inc. for the Harlington Cemetery Storage Building for the amount of \$46,773.65.
5. Pay Request from Farnsworth Group for the Public Services Center- North Addition 2021 for the amount of \$1,517.25.

6. Pay Request from Wicks Construction, Inc. for the 4th Street SW & 10th Street SW Improvements 2020 for the amount of \$177,849.56.
7. Class C Liquor License for Prairie Links Golf & Event Center.
8. Class C Beer Permit for Kwik Star #752.

Moved by Drenkow, seconded by Beaufore to approve the Consent Calendar as presented.

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

G. Regular Business

1. Moved by Glaser, seconded by Rathe to approve Resolution 20-173, approving Change Order No. 3 to the Owner-Occupied Rehabilitation Contract for Project #1 of the Waverly CDBG Housing Rehabilitation Program for an increase of \$7,400.00.
Motion passed. Yes: 7 No: 0 Absent: 0
2. Moved by Drenkow, seconded by Birgen to approve Resolution 20-174, approving the Resolution of Necessity and adopting The Preliminary Assessment Schedule as a part of the 1st Street NW Reconstruction 2021 project and setting December 7, 2020 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: 7 No: 0 Absent: 0
3. Moved by Schneider, seconded by Glaser to approve Resolution 20-175, approving a Lease Agreement between the City of Waverly and James Janssen of \$225 per acre for 8.01 acres for a total rent of \$1,802.25 for the 2021 rental ground within the City's Airport Safety Zone.
Motion passed. Yes: 7 No: 0 Absent: 0
 - This property has not been open for bid due to the small size of the parcel and the parcel is adjacent to their land. This makes access easier. There are three land owners around the airport so this makes it easier for them as well. It may be a good idea to periodically, every five or ten years, to put the land up for bid just to keep it competitive. Although, it probably isn't a good idea to do a competitive bid every year. The monies from the rent are put into the airport operations fund. There are waterways that go through these properties.
4. Moved by Rathe, seconded by Beaufore to approve Resolution 20-176, approving a Farm Lease Agreement between the City of Waverly and Dean Knapp of \$290 per acre for 120 acres of Parcels M, N, and O located at the Neil Smith property for the total rent of \$34,800.00.
Motion passed. Yes: 7 No: 0 Absent: 0
5. Moved by Birgen, seconded by Kangas to approve Resolution 20-177, approving Contract, Bonds, and Certificate of Insurance from Elder Corp. of Des Moines, Iowa for the Old WPC Dome Demolition 2020 project and authorizing the Mayor to sign the contract.
Motion passed. Yes: 7 No: 0 Absent: 0
6. Moved by Drenkow, seconded by Birgen to approve Resolution 20-178, accepting the Citywide Asphalt Patching- Fall 2020 project as complete and approving Pay Estimate No. 1 in the amount of \$24,351.98 as the final pay request to Kluesner Construction of Farley, Iowa.
Motion passed. Yes: 7 No: 0 Absent: 0
7. Moved by Birgen, seconded by Kangas to approve the First Reading of Ordinance 1082, an Ordinance Adopting the "City Code of the City of Waverly, Iowa" and Setting December 7, 2020 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: 7 No: 0 Absent: 0
 - This action is in accordance with Iowa Code aiding in the compilation of the ordinances approved at least annually.
8. Cancellation of the November 23, 2020 Study Session meeting.
This item died for lack of motion.
 - At the time the agenda was being prepared for November 23, there was only one item to be discussed, (a report from the Airport Commission), and staff feels that could be added to the

December 7 agenda. Council expressed that with Covid-19 numbers increasing like they are, maybe we should discuss this at the November 23 Study Session meeting.

H. Reports from Boards and Commissions

1. City of Waverly State Annual Financial Report; FY 2020; Received into record.
2. Historic Preservation Commission Minutes; July 27, 2020; Received into record.
3. Historic Preservation Commission Minutes; August 24, 2020; Received into record.
4. Historic Preservation Commission Minutes; September 28, 2020; Received into record.
5. Monthly Financials; October, 2020; Received into record.

I. Staff Updates

- Leisure Services Director Garret Riordan noted that the last day the Municipal Golf Course will be open for this season will be Friday, November 20th. The Pro Shop will remain open with special hours so purchases of retail items may be made.
- City Engineer / Public Works Director Mike Cherry commented that the last day for the Yard Waste Site will be Saturday, November 21st; however, watch for Facebook posts as weather pending, the Yard Waste Site's season may be extended.

J. City Council Comments

- Councilmembers Birgen and Drenkow both expressed concerns for increasing Covid-19 numbers and urged citizens to take precautions such as wearing face masks, washing hands, and using hand sanitizer.
- Councilmember Beaufore commended teachers and health care professionals for keeping children healthy and working hard to keep people healthy.
- Councilmember Rathe thanked City Staff for adapting to Coronavirus changes and maintaining excellent service.
- Councilmember Schneider talked about his dad putting together airplanes and how details were important. This is the same for Covid-19, data is important.
- Councilmember Kangas noted there will be a Human Equity and Diversity meeting via Zoom Tuesday, November 17th, at 6:30 p.m.
- Guest Councilmember Blake Yanda thanked Council for the opportunity to be a guest council person.

K. Mayor's Comments

- Mayor Hoffman reiterated how important using PPE is to help prevent the spread of Covid-19. He encouraged people to do their part in the prevention. Mr. Hoffman also announced that there will be a lighted parade downtown Waverly on December 10 in lieu of Greetings on Main.

L. Moved by Kangas, seconded by Birgen to adjourn the meeting. Motion passed and the Council meeting adjourned at 7:54 P.M. **Yes: 7 No: 0 Absent: 0**



Adam P. Hoffman, Mayor

ATTEST:


Carla Guyer, City Clerk