

Regular Meeting Minutes
 March 17, 2003 ~ 7:00 P.M.

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on March 17, 2003, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Fred Ribich, Gary Boorum, Patsy Reed, Mel Kramer, Darrel Steege, Gary Grace and Cyndi Ecker. Absent: None

1. **Approve Agenda as Printed or Add Items for Discussion Only.**

Moved By: Kramer **Seconded By: Boorum**

That the agenda for this Council meeting as prepared is hereby approved.

Yes: 7 No: 0 Absent: 0

2. **Minutes.**

Moved By: Steege **Seconded By: Ecker**

The March 3, 2003 Council Meeting Minutes are hereby approved.

Yes: 7 No: 0 Absent: 0

3. **Employee Highlight.**

The Council congratulated Terry Corcoran on his 3 years of service for the City of Waverly.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing on plans, specifications, form of contract and estimated cost for the 29th Avenue SE Lift Station. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorum **Seconded By: Ecker**

Resolution 03-30, a Resolution Approving Plans, Specifications, Form of Contract and Estimated Cost for the 29th Avenue SE Lift Station is hereby approved.

Yes: 7 No: 0 Absent: 0

Staff noted the lift station cost estimates were completed in November 2002. More accurate estimates have since been determined, thus lower bids were received.

Moved By: Kramer **Seconded By: Grace**

Resolution 03-31, a Resolution Awarding Contract for the 29th Avenue SE Lift Station to Blazek Corporation of Lawler, Iowa, in the amount of \$99,306.40 is hereby approved.

Yes: 7 No: 0 Absent: 0

2. This was the date, time and place for a Public Hearing on the Rezoning request for the Area East of 12th Street NE and along East Bremer Avenue. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Ribich **Seconded By: Ecker**

Second Reading on Ordinance 802, and Ordinance Providing for the Rezoning of Area around 12th Street NE and along East Bremer Avenue is hereby approved.

Yes: 7 No: 0 Absent: 0

3. This was the date, time and place for a Public Hearing on the Rezoning Request for the area around 10th Street NE (Bremer Road) and 5th Avenue NE. Mayor Ackerman called for any oral or written comments and there were none. The hearing was declared closed and the following action was taken.

Moved By: Boorum Seconded By: Steege
Second Reading of Ordinance 801, an Ordinance Providing for the Rezoning of Area around 10th Street NE (Bremer Road) and 5th Avenue NE is hereby approved.

Yes: 7 No: 0 Absent: 0

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

E. CONSENT AGENDA.

1. Pay Request from McClure Engineering Company in the amount of \$1,431.75 for the Waverly WPC Renovation Project.
2. Pay Request from McClure Engineering Company in the amount of \$5,790.39 for the Waverly Water Utility Evaluation and Management Plan Update.
3. Class C Liquor License for the Waverly Golf & Country Club.

Moved By: Ribich Seconded By: Grace
Items 1-3 on the Consent Agenda are hereby approved.

Yes: 7 No: 0 Absent: 0

F. REGULAR BUSINESS.

1. **Resolution 03-32, a Resolution Directing Sale of \$1,025,000 General Obligation Refunding Bonds, Series 2003.**

Jeanne Vanda of Public Financial Management was present to review the results of the eight bond bids received. The sale bid was awarded to Bankers' Bank of Madison, Wisconsin.

Moved By: Kramer Seconded By: Ribich
Resolution 03-32, a Resolution Directing Sale of \$1,025,000 General Obligation Refunding Bonds, Series 2003 to Bankers' Bank of Madison, Wisconsin at a true interest rate of 2.311% with a true interest cost of \$1,022,437.50 is hereby approved.

Yes: 7 No: 0 Absent: 0

2. **Resolution 02-33, a Resolution Directing Sale and Delivery of \$465,000 Water Revenue Refunding Capital Loan Notes, Series 2003.**

Jeanne Vanda of Public Financial Management was present to review the sale of said Capital Loan Notes. She stated the First National Bank of Waverly submitted the lowest rate. The City of Waverly will realize a net savings of \$20,005.

Moved By: Kramer

Seconded By: Ecker

Resolution 03-33, a Resolution Directing Sale and Delivery of \$465,000 Water Revenue Refunding Capital Loan Notes, Series 2003 to First National Bank of Waverly at a true interest cost of 3.093% with a true interest cost of \$42,712.08 is hereby approved.

Yes: 7

No: 0

Absent: 0

3. **Resolution 03-34, a Resolution Approving a Special Provisional Use for Waverly-Shell Rock Schools Bus Garage along 35th Street NW (Hwy 218).**

Dennis Stufflebeam feels the proposed location will be safer due to less traffic.

Moved By: Grace

Seconded By: Ribich

Resolution 03-34, a Resolution Approving a Special Provisional Use for Waverly-Shell Rock Schools Bus Garage along 35th Street NW (Hwy 218) is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Resolution 03-35, a Resolution Approving a Special Provisional Use for the Waverly Municipal Hospital Addition / Expansion Project.**

Mr. Tom Taiber of Meyer Pharmacy voiced his concern on a retail pharmacy being included in the Hospital Addition / Expansion project. He feels the City should not create entities that compete with private businesses. Mr. Dan Burrier felt traffic issues had not been addressed. He also is concerned about the location of the detention pond. Mr. Mike Trachta, Administrator of the Waverly Hospital, felt a traffic study should be conducted but was told it is best to do the study after construction. Discussion followed regarding management issues. Many supporters of the project feel this addition will provide a service to patients who need to fill prescriptions after their visit to a clinic or hospital. Staff informed Ron Matthias that Local Option Sales Tax revenues can be used to address regional drainage issues. Councilmember Patsy Reed does not feel the City should help subsidize the pharmacy. City Attorney Carney stated a pharmacy is accessory to a hospital special provisional use. He also noted it is up to the elected Hospital Board regarding decisions on operations within the hospital.

Moved By: Steege

Seconded By: Ribich

Resolution 03-35, a Resolution Approving a Special Provisional Use for the Waverly Municipal Hospital Addition / Expansion Project is hereby approved.

Yes: 6

No: 1 (Reed)

Absent: 0

5. **First Reading of Ordinance 805, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Wartburg College, Applicants).**

John Wuertz informed the Council that a Neighborhood meeting will be held on March 27 at 7:00 p.m. to discuss the project.

Moved By: Boorum

Seconded By: Ecker

First Reading of Ordinance 805, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Wartburg College, Applicants) and setting April 7, 2003, as a date for a public hearing is hereby approved.

Yes: 7 No: 0 Absent: 0

6. **Third Reading of Ordinance 799, an Ordinance Amending Water Rates, Charges, and Minimum Rate.**

Moved By: Ribich Seconded By: Kramer

Third Reading of Ordinance 799, an Ordinance Amending Water Rates, Charges, and Minimum Rate is hereby approved.

Yes: 7 No: 0 Absent: 0

7. **Third Reading of Ordinance 800, an Ordinance Amending Solid Waste Rates.**

Moved By: Ecker Seconded By: Boorum

Third Reading of Ordinance 800, an Ordinance Amending Solid Waste Rates is hereby approved.

Yes: 7 No: 0 Absent: 0

8. **Approve Change Order No. 5 for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project.**

Moved By: Ribich Seconded By: Grace

Change Order No. 5 for the increased amount of \$1,107.99 for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project is hereby approved.

Yes: 7 No: 0 Absent: 0

9. **Approve Change Order No. 6 for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project.**

Moved By: Ecker Seconded By: Grace

Change Order No. 6 for the decreased amount of \$15,658.05 for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project is hereby approved.

Yes: 7 No: 0 Absent: 0

10. **Resolution 03-36, a Resolution Accepting the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project and Approving Final Pay Request.**

Moved By: Ribich Seconded By: Steege

Resolution 03-36, a Resolution Accepting the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project and Approving Final Pay Request in the amount of \$30,616.23 to Happel Excavating is hereby approved.

Yes: 7 No: 0 Absent: 0

11. **Approve Final Pay Request to Shive-Hattery for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project.**

Moved By: Kramer

Seconded By: Ribich

Final Pay Request to Shive-Hattery in the amount of \$1,838.13 for the 10th Avenue SW and IA Hwy 3 Intersection Improvements – Phase 2, Iowa DOT (RISE) Project is hereby approved.

Yes: 7

No: 0

Absent: 0

12. **First Reading of Ordinance 803, an Ordinance to Prohibit Hunting on the Waverly Rail Trail.**

Discussion followed regarding whether an Ordinance prohibiting hunting was already in effect. Bremer County will follow the City's lead and take similar action.

Moved By: Ribich

Seconded By: Reed

First Reading of Ordinance 803, an Ordinance to Prohibit Hunting on the Waverly Rail Trail is hereby approved.

Yes: 7

No: 0

Absent: 0

13. **Approval of Public Safety Contract between the City of Waverly and IBEW Local Union 288.**

Moved By: Kramer

Seconded By: Ecker

The Public Safety Contract between the City of Waverly and IBEW Local 288 for the years 2003-2006 is hereby approved.

Yes: 7

No: 0

Absent: 0

14. **First Reading of Ordinance 804, an Ordinance Amending Chapter 105 of the Waverly Municipal Code Regarding Parking Restrictions in the Waverly Business Park (formerly Waverly Industrial Park).**

City Administrator Crayne informed the Council that comments have been received from potential investors in the Business Park on the parking of semis and the downloading of truck trailers on the streets in the Business Park. Staff is concerned that the parking of trucks in this area deters marketing of lots in the Business Park.

Moved By: Ribich

Seconded: Grace

First Reading of Ordinance 804, an Ordinance Amending Chapter 105 of the Waverly Municipal Code Regarding Parking Restrictions in the Waverly Business Park (formerly Waverly Industrial Park) is hereby approved.

Yes: 7

No: 0

Absent: 0

15. **Approve Vehicle Purchase of one (1) 2003 Full Size 4DR Specialty Sedan for the Waverly Police Department.**

Police Chief Simpson noted this vehicle will replace the Investigator's vehicle.

Moved By: Steege

Seconded By: Boorum

The Vehicle Purchase of a 2003 Chevrolet Impala in the amount of \$16,996.93 from Pat Clemons, Boone, Iowa for the Waverly Police Department is hereby approved.

Yes: 7 No: 0 Absent: 0

16. **Award Bid for Painting 150 Fire Hydrants.**

City Engineer Cherry informed the Council that 150 of the total 750 fire hydrants are painted each year.

Moved By: Boorum Seconded By: Steege

The bid from Mongan Painting Company of Cherokee, Iowa in the amount of \$88.00 per fire hydrant is hereby approved.

Yes: 7 No: 0 Absent: 0

17. **Resolution 03-37, a Resolution Approving Contract, Bonds and Insurance for the 2003 Bituminous Seal Coat Program.**

Moved By: Ribich Seconded By: Ecker

Resolution 03-37, a Resolution Approving Contract, Bonds and Insurance for Steffes Construction of New Hampton, Iowa, for the 2003 Bituminous Seal Coat Program is hereby approved.

Yes: 7 No: 0 Absent: 0

18. **Resolution 03-38, a Resolution Approving the Sale of Lot 8 and Release of Lot 3 for the Replat of Rieger Addition to Waverly, Iowa.**

Due to the elevation requirements, Mr. Jay Albaugh cannot construct a ranch home on Lot 3. He has requested a change to Lot 8 to build said ranch home to comply with elevation requirements.

Moved By: Boorum Seconded By: Grace

Resolution 03-38, a Resolution Approving the Sale of Lot 8 and Release of Lot 3 for the Replat of Rieger Addition to Waverly, Iowa is hereby approved.

Yes: 7 No: 0 Absent: 0

19. **Resolution 03-39, a Resolution Awarding Contract for the 2003 Hangar Construction – Waverly Municipal Airport.**

Moved By: Kramer Seconded By: Steege

Resolution 03-39, a Resolution Awarding Contract for the 2003 Hangar Construction – Waverly Municipal Airport to Cleary Building Corporation of Verona, Wisconsin in the amount of \$49,500.00 is hereby approved.

Yes: 7 No: 0 Absent: 0

20. **Approve Preliminary Plat for Rolling Meadows Phase 2 and 3.**

Staff informed Council that issues such as access from 10th Avenue SW will be addressed in the construction document of the final plat or in a potential Developer's Agreement.

Moved By: Boorum Seconded By: Grace

The Preliminary Plat for Rolling Meadows Phase 2 and 3 is hereby approved.

Yes: 7 No: 0 Absent: 0

21. **Approval of February Cash Disbursements.**

Moved By: Ecker

Seconded By: Ribich

The February Cash Disbursements are hereby approved.

Yes: 7

No: 0

Absent: 0

22. **Approve Purchases of Equipment and Personnel for Council and Planning & Zoning Commission Meeting Broadcasts.**

Staff informed Council that this is an amendment to the current agreement with Wartburg College.

Moved By: Ribich

Seconded By: Ecker

The purchases of \$4,995 for the Edge TV Master System, an estimated cost no greater than \$3,350 for an event controller along with 4 VCR's and control cables and \$7,500 in personnel costs (to be paid from the Cable Franchise Fees fund) are hereby approved.

Yes: 7

No: 0

Absent: 0

G. BOARDS AND COMMISSIONS.

1. Boards and Commissions.
2. Reports.
3. Communications.

H. ADJOURNMENT.

Moved By: Boorum

Seconded By: Ribich

That the City Council Meeting be adjourned.

Yes: 7

No: 0

Absent: 0

Council adjourned at 8:48 P. M.

Mayor

ATTEST:

City Clerk