

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

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on April 7, 2003, at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gary Boorum, Patsy Reed, Darrel Steege, Cyndi Ecker, Fred Ribich and Mel Kramer. Absent: Gary Grace

1. **Approve agenda as printed or add items for discussion only.**
Moved By: Ribich **Seconded By: Kramer**
That the agenda for this Council meeting as prepared is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
2. **Minutes.**
Moved By: Steege **Seconded By: Boorum**
The March 17 and 24, 2003 Council minutes are hereby approved.
Yes: 6 **No: 0** **Absent: 1**
3. **Guest Councilperson.**
Council welcomed Jeff Franzen as the Guest Councilperson for April.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a Public Hearing on 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 Wartburg is addressing the demand for additional student housing with the Grossman Hall Addition. Councilmember Ecker thanked Wartburg College for their in-depth parking study and addressing neighborhood concerns. The hearing was declared closed the following action was taken.
Moved By: Ecker **Seconded By: Ribich**
Second 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) is hereby approved.
Yes: 6 **No: 0** **Absent: 1**

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

Staff informed Duane Liddle that there were no plans to extend 3rd Street SE to Crestwood Avenue. City Engineer Cherry informed Mr. Liddle that all structural specifications for the 3rd Street SE were addressed in the 2001 Feasibility Study.
Mr. Leonard Schmidt asked the Council to reconsider the burning ban in Waverly. Council will review the burning ban again at a future study session.

E. CONSENT AGENDA.

1. Pay Request from Kehe Construction Company in the amount of \$24,700.00 for the Waverly Wastewater System Improvement 2002 Project.
2. Pay Request from TeKippe Engineering, P.C. in the amount of \$4,513.83 for the 29th Avenue SE Lift Station.
3. Pay Request from McClure Engineering in the amount of \$350.75 for the WPC Renovation.
4. Pay Request from WHKS & Co. in the amount of \$27,283.18 for the Green Bridge Task Force Meetings.
5. Pay Request from Stanley Consultants in the amount of \$9,084.33 for the Green Bridge River Study.
City Engineer Cherry informed the Council that there was no engineering consultant contract for the Task Force Meetings and fees were based on a cost per hour fee.

Moved By: Ecker

Seconded By: Ribich

Items 1-5 on the Consent Agenda are hereby approved.

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Approval of American Legion, AMVETS, VFW War Memorial at the Corner of 4th & Bremer Avenue.**

Ralph Juhl reviewed the design plans of the War Memorial at the corner of 4th Street SW and Bremer Avenue. Project costs would range from \$45,000 to \$50,000 and includes lighting, sidewalk pavers, benches, specialized flags and poles. Ted Lanske, Commander of the AMVETS and Harry Janssen of the American Legion reviewed fundraising efforts. Waverly Area Development Group will be applying for a grant for landscaping.

Moved By: Boorum

Seconded By: Kramer

The Plan for the American Legion, AMVETS, VFW War Memorial at the Corner of 4th & Bremer Avenue is hereby approved.

Yes: 6

No: 0

Absent: 1

2. **Review Final Report Recommendations from the Water Utility Evaluation & Management Plan Update 2003.**

City Engineer Cherry reviewed five projects identified in the 2003 Water Utility Evaluation & Management Plan to improve the reliability and quality of Waverly's water supply. Mr. Cherry recommended a 3-member Council committee to work with staff on a long-range plan for ensuring a safe and reliable water supply.

Moved By: Steege

Seconded By: Ecker

Councilmember Kramer, chair and Councilmembers Boorum and Ribich are hereby appointed to work with staff on identifying long-term goals and opportunities for ensuring a safe and reliable water supply.

Yes: 6

No: 0

Absent: 1

3. **Pay Request from McClure Engineering for the Water Utility Evaluation & Management Plan Update.**
Moved By: Boorum **Seconded By: Reed**
Pay Request from McClure Engineering in the amount of \$5,803.47 for the Water Utility Evaluation & Management Plan Update is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
4. **Review IDOT Funding Agreement for the 3rd Street SE Bridge Project.**
Council reviewed the IDOT Funding Agreement for the 3rd Street SE Bridge Project. Council will take action on said agreement at its April 28th Study Session.
5. **Resolution 03-42, A Resolution Approving An Agreement between the City of Waverly and Iowa DOT for a Planting Project Grant Along Highway 3 East Entryway into Waverly.**
Doug Snook reviewed the Planting Project along Highway 3 East Entryway with Council.
Moved By: Boorum **Seconded By: Reed**
Resolution 03-42, A Resolution Approving An Agreement between the City of Waverly and Iowa DOT for a Planting Project Grant Along Highway 3 East Entryway into Waverly at a estimated cost of \$12,700 is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
6. **Resolution 03-43, A Resolution Appointing Wells Fargo Bank Iowa, N. A. of Des Moines, Iowa, To Serve as Paying Agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$1,025,000 General Obligation Refunding Bonds.**
Moved By: Kramer **Seconded By: Ribich**
Resolution 03-43, A Resolution Appointing Wells Fargo Bank Iowa, N. A. of Des Moines, Iowa, To Serve as Paying Agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement for \$1,025,000 General Obligation Refunding Bonds is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
7. **Approval of Tax Exemption Certificate.**
Moved By: Boorum **Seconded By: Steege**
The Tax Exemption Certificate for \$1,025,000 General Obligation Refunding Bonds is hereby approved.
Yes: 6 **No: 0** **Absent: 1**

8. **Approval of the Continuing Disclosure Certificate.**
Moved By: Ribich **Seconded By: Ecker**
The Continuing Disclosure Certificate for \$1,025,000 General Obligation Refunding Bonds is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
9. **Resolution 03-44, A Resolution Authorizing and Providing for the Issuance of \$1,025,000 General Obligation Refunding Bonds and Levying a Tax to Pay Said Bonds.**
Moved By: Kramer **Seconded By: Ribich**
Resolution 03-44, A Resolution Authorizing and Providing for the Issuance of \$1,025,000 General Obligation Refunding Bonds and Levying a Tax to Pay Said Bonds is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
10. **Approval of Tax Exemption Certificate.**
Moved By: Ecker **Seconded By: Ribich**
The Tax Exemption Certificate for \$465,000 Water Revenue Refunding Capital Loan Notes, Series 2003 is hereby approved.
Yes: 6 **No: 0** **Absent: 1**
11. **Resolution 03-45, A Resolution Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance and Securing the Payment of \$465,000 Water Revenue Refunding Capital Loan Note, Series 2003, of the City of Waverly, Iowa, Under the Provisions of the City Code of Iowa, and Providing for a Method of Payment of Said Notes.**
Moved By: Ribich **Seconded By: Steege**
Resolution 03-45, A Resolution Approving and Authorizing a Form of Loan Agreement and Authorizing and Providing for the Issuance and Securing the Payment of \$465,000 Water Revenue Refunding Capital Loan Note, Series 2003, of the City of Waverly, Iowa, Under the Provisions of the City Code of Iowa, and Providing for a Method of Payment of Said Notes.
Yes: 6 **No: 0** **Absent: 1**
12. **Second Reading of Ordinance 803, An Ordinance to Prohibit Hunting on the Waverly Rail Trail.**
Moved By: Kramer **Seconded By: Ribich**
Second Reading of Ordinance 803, An Ordinance to Prohibit Hunting on the Waverly Rail Trail is hereby approved.
Yes: 6 **No: 0** **Absent: 1**

13. **First Reading of Ordinance 806, an Ordinance to Prohibit Feeding Waterfowl in Kohlmann Park.**
Moved By: Ecker **Seconded By: Reed**
 First Reading of Ordinance 806, an Ordinance to Prohibit Feeding Waterfowl in Kohlmann Park is hereby approved.
Yes: 6 No: 0 Absent: 1
14. **Approval of an Engineering Services Agreement for the Waverly Municipal Airport – 11/29 Runway Extension Project.**
 Staff informed Fred Krumwiede that the FAA will reimburse the City for 90% of the cost for engineering services.
Moved By: Steege **Seconded By: Ribich**
 The Agreement between the City of Waverly and WHKS & Co. of Mason City for Engineering Services for the Waverly Municipal Airport – 11/29 Runway Extension Project is hereby approved.
Yes: 6 No: 0 Absent: 1
15. **Third Reading of Ordinance 802, an Ordinance Providing for the Rezoning of Area Around 12th Street NE and along East Bremer Avenue.**
Moved By: Boorum **Seconded By: Kramer**
 Third Reading of Ordinance 802, an Ordinance Providing for the Rezoning of Area Around 12th Street NE and along East Bremer Avenue from A-1, Agricultural District to R-1, Single Family Residential District is hereby approved.
Yes: 6 No: 0 Absent: 1
16. **Third Reading of Ordinance 801, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Area Around 10th Street NE (Bremer Road) and 5th Avenue NE.**
Moved By: Ribich **Seconded By: Ecker**
 Third Reading of Ordinance 801, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa Providing for Rezoning of Area Around 10th Street NE (Bremer Road) and 5th Avenue NE from A-1, Agricultural District to R-1, Single Family Residential District is hereby approved.
Yes: 6 No: 0 Absent: 1
17. **Second 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 Plaza).**
Moved By: Steege **Seconded By: Ribich**
 Second 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 Plaza) is hereby approved.
Yes: 6 No: 0 Absent: 1

