

**Regular Meeting Minutes**  
**October 6, 2003 ~ 7:00 p.m.**

**A. CALL TO ORDER.**

The regular meeting of the Waverly City Council was held on October 6, 2003 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Ackerman presided. Council members present: Gary Boorum, Patsy Reed, Cyndi Ecker, Fred Ribich, Gary Grace, Mel Kramer and Darrel Steege. Absent: None

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: 7** **No: 0** **Absent: 0**
2. **Minutes.**  
**Moved By: Boorum** **Seconded By: Ecker**  
The September 15, and 22, 2003 Council minutes are hereby approved and revised by changing sentence 3 under Regular Business # 3 in September 15<sup>th</sup> minutes to read "Planning and Zoning asked the Council to consider reconstruction of Cedar Lane."  
**Yes: 7** **No: 0** **Absent: 0**
3. **Guest Councilperson.**  
Council welcomed Jackie Strotman as the Guest Councilperson for October.

**B. PUBLIC HEARINGS.**

1. This was the date, time, and place for a Public Hearing on the Rezoning Request for the B.N.K.D. Property, also known as Prairie Park Addition. Brian Happel requested that the 3<sup>rd</sup> reading of Ordinance 819 be waived. After discussion the 3<sup>rd</sup> reading of Ordinance 819 will take place at the at the October 20<sup>th</sup> Council meeting. The hearing was declared closed and the following action was taken.  
**Moved By: Boorum** **Seconded By: Steege**  
Second Reading of Ordinance 819, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City from A-1, Agricultural District to R-1, Single Family Residential District and R-2, One and Two-Family Residential District and R-3, Multi-Family Residential District (B.N.K.D., Applicant), also known as Prairie Park Addition, 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 property located at 112 6<sup>th</sup> Street SW. 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: Kramer** **Seconded By: Grace**  
Second Reading of Ordinance 818, an Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said



3. **Resolution 03-100, a Resolution Proposing to Vacate and Convey a Portion of Property to Mauzer Eye Center.**

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

Resolution 03-100, a Resolution Proposing to Vacate and Convey a 25' x 70' Parcel of Property adjacent and abutting the south line of Mauzer Eye Center to Mauzer Eye Center is hereby approved and sets October 20, 2003 at 7:00 p.m. in the Council Chambers at City Hall as a date, time and place for a public hearing.

**Yes: 7**                                  **No: 0**                                  **Absent: 0**

4. **Update on East Bremer Avenue Sidewalk Improvements Project.**

Paula Stevenson, representing Waverly Area Development Group was present to review comments from Osage, Hudson, and Saint Ansgar communities that have constructed sidewalk improvements in their downtown areas. Ms. Stevenson reviewed the Waverly Downtown property owner's comment survey. One of the communities suggested that during construction owners designate a "go to person" to voice their concerns. 83% of downtown property owners are in favor of the project. City Engineer Cherry informed the Council that it would be impossible to incorporate the proposed sidewalk design in existing sidewalks. Discussion followed on side street assessments and properties that have no rear access. Staff will have Yaggy Colby come to Council on October 20<sup>th</sup> to review assessment methodology. Ms. Stevenson also requested staff provide business owners with plans to reconstruct their water mains during downtown sidewalk construction

5. **Resolution 03-95, A Resolution Supporting Entry into the Great American Main Street Awards Competition.**

Tara Harn from Waverly Area Development Group reviewed the application process and competition for the Great American Main Street Awards. The award supports the overall well being of the community.

**Moved By: Boorum**                                  **Seconded By: Ribich**

Resolution 03-95, A Resolution Supporting Entry into the Great American Main Street Awards Competition is hereby approved.

**Yes: 7**                                  **No: 0**                                  **Absent: 0**

6. **Resolution 03-96, A Resolution Approving the Statewide Mutual Aid Compact.**

Participation in the Iowa Mutual Aid Compact requires Council adoption of the resolution to participate in IMAC and appoints representatives and contacts. There is no cost to participate and does not replace 28E Agreements. Cities or counties can request assistance and it would be the choice of other governmental bodies to respond. All assistance is reimbursable by the requesting agency.

**Moved By: Boorum**                                  **Seconded By: Ribich**

Resolution 03-96, A Resolution Approving the Statewide Mutual Aid Compact is hereby approved.

**Yes: 7**                                  **No: 0**                                  **Absent: 0**

7. **Third Reading of Ordinance 816, an Ordinance Providing for the Rezoning of Certain Area of Said City (Dr. Sheryl Huygens, Applicant) Located at 908 2<sup>nd</sup> Avenue SW).**  
**Moved By: Kramer**                      **Seconded By: Grace**  
Third Reading of Ordinance 816, an Ordinance Providing for the Rezoning of Certain Area of Said City (Dr. Sheryl Huygens, Applicant) located at 908 2<sup>nd</sup> Avenue SW is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**
  
8. **Resolution 03-97, A Resolution Approving a Special Provisional Use for Huygens Chiropractic Clinic at 908 2<sup>nd</sup> Ave. SW.**  
**Moved By: Ecker**                      **Seconded By: Ribich**  
Resolution 03-97, A Resolution Approving a Special Provisional Use for Huygens Chiropractic Clinic at 908 2<sup>nd</sup> Ave. SW is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**
  
9. **Approve Change Order No. 3 for the Wastewater System Improvements - 2002.**  
**Moved By: Boorum**                      **Seconded By: Ribich**  
Change Order No. 3 from Kehe Construction for a decreased amount of \$24,160.61 for the Wastewater System Improvements - 2002 is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**
  
10. **Approve Pay Request for the Wastewater System Improvements – 2002.**  
**Moved By: Ribich**                      **Seconded By: Grace**  
Pay Request from Kehe Construction in the amount of \$12,925.12 for the Wastewater System Improvements – 2002 is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**
  
11. **Resolution 03-98, A Resolution Accepting the Wastewater System Improvements – 2002 and Approving the Final Pay Request.**  
**Moved By: Ribich**                      **Seconded By: Ecker**  
Resolution 03-98, A Resolution Accepting the Wastewater System Improvements – 2002 and Approving the Final Pay Request from Kehe Construction in the amount of \$39,891.97 is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**
  
12. **Approve Change Order No. 1 for the Dry Run Creek Improvements - 2003.**  
**Moved By: Ecker**                      **Seconded By: Steege**  
Change Order No. 1 from West Fork Constructors for a decreased amount of \$438.51 for the Dry Run Creek Improvements – 2003 is hereby approved.  
**Yes: 7                      No: 0                      Absent: 0**

13. **Resolution 03-99, A Resolution Accepting the Dry Run Creek Improvements – 2003 and Approving Final Pay Request.**  
**Moved By: Ribich** **Seconded By: Kramer**  
Resolution 03-99, A Resolution Accepting the Dry Run Creek Improvements – 2003 and approving final pay request from West Fork Constructors in the amount of \$1,306.35 is hereby approved.  
**Yes: 7 No: 0 Absent: 0**

14. **Approval of August Cash Disbursements.**  
**Moved By: Ecker** **Seconded By: Grace**  
The August Cash Disbursements are hereby approved.  
**Yes: 7 No: 0 Absent: 0**

Discussion followed on the railroad crossing on 5<sup>th</sup> Street and 7<sup>th</sup> Avenue NW and intersection at Bremer and 1<sup>st</sup> Street NW. Staff will contact railroad and the Iowa Department of Transportation on railroad crossing.

Northeast Iowa Regional League are inviting legislators to a meeting in preparation of 2004 Legislative Session.

**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 is hereby adjourned.  
**Yes: 7 No: 0 Absent: 0**

**Council adjourned at 8:13 p.m.**

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**Mayor**

**ATTEST:**

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**City Clerk**