

**Regular Meeting Minutes
June 16, 2003 ~ 7:00 P.M.**

A. CALL TO ORDER.

The regular meeting of the Waverly City Council was held on June 16, 2003, at 7:00 p.m. in the Council Chambers at City Hall. Gary Grace, Mayor Pro-Tem presided. Council members present: Gary Boorum, Patsy Reed, Gary Grace, Cyndi Ecker, Fred Ribich, Darrel Steege, and Mel Kramer. 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: 6 **No: 0** **Absent: 1**
2. **Minutes.**
Moved By: Ecker **Seconded By: Ribich**
The June 2, 2003 Council Meeting Minutes are hereby approved.
Yes: 6 **No: 0** **Absent: 1**
3. **Employee Highlight.**
Council congratulated Mike Leary on his 3 years of service for the City of Waverly.
4. **Recognition of the Government Finance Officers Association's Certificate of Achievement in Financial Reporting Award.**
The Council congratulated Jack Bachhuber for his award given by the Government Finance Officers Association for Certificate of Achievement in Financial Reporting.

B. PUBLIC HEARINGS.

1. This was the date, time and place for a public hearing on the Plans, Specifications, Form of Contract and Estimate of Cost for the Dry Run Creek Improvements - 2003. Adjacent property owners Janet Platter and Vickie Green asked the Council to extend reconstruction of the dry run to 20th Street NW. City Engineer Cherry estimated that the extension of reconstruction would be approximately \$20,000 - \$25,000. Staff will look at costs for the extension of concrete flume or cleanup of the dry run west to 20th Street NW. Mayor Pro-Tem Grace closed the hearing and the following action was taken.
Moved By: Ribich **Seconded By: Ecker**
Resolution 03-56, a Resolution Approving Plans, Specifications, Form of Contract and Estimate of Cost for the Dry Run Creek Improvements - 2003 is hereby approved contingent upon staff looking at cost associated with extension of concrete flume westward in the near future.
Yes: 6 **No: 0** **Absent: 1**
2. This was the date, time and place for a Public Hearing on the rezoning request for the Area around 209 3rd Street SE. Mayor Pro-Tem Grace 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 811, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said

City from C-3, Commercial-Central Business District to R-4, Residential-Transitional District (area around 209 3rd Street SE) is hereby approved.

Yes: 6

No: 0

Absent: 1

C. TABLED ITEMS.

D. VISITORS / PUBLIC COMMENTS.

Laura Cooley and Donna Oberheu introduced the Heritage Days Committee. Heritage Days are scheduled for July 17 – 20th and will feature the Vietnam War Memorial at Harlington Cemetery.

E. CONSENT AGENDA.

1. Pay Request from Kehe Construction in the amount of \$71,405.80 for the Wastewater System Improvements –2002.
2. Pay Request from Heartland Asphalt, Inc. in the amount of \$21,589.09 for the 7th Avenue SE Reconstruction HMA Pavement Grade and Replace.
3. Pay Request from Blazek Corporation in the amount of \$42,040.82 for the 29th Avenue SE Lift Station.
4. Renewal of Cigarette Permits for Ag Vantage, Waverly AmVets, Blake's, Casey's, Hy-Vee, Regal Liquors, Waverly Golf & Country Club, Kwik Trip (East & West), Fareway, and Wal-Mart.
5. Class C Beer Permit for Hy-Vee.

Moved By: Boorum

Seconded By: Ribich

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

Yes: 6

No: 0

Absent: 1

F. REGULAR BUSINESS.

1. **Resolution 03-57, a Resolution Setting Date for a Public Hearing to Obtain Citizen Input and Accept and Place on File the Comprehensive Solid Waste Management Plan for Black Hawk, Bremer, Buchanan, and Grundy Counties.**

Sarah Smith of Iowa Northland Regional Council of Governments reviewed DNR requirements for a Comprehensive Solid Waste Management Plan for Blackhawk, Bremer, Buchanan, and Grundy Counties.

Moved By: Boorum

Seconded By: Ribich

Resolution 03-57, A Resolution Setting Date for a Public Hearing to Obtain Citizen Input and to Accept and Place on File the Comprehensive Solid Waste Management Plan for Black Hawk, Bremer, Buchanan, and Grundy Counties is hereby approved.

Yes: 6

No: 0

Absent: 1

Councilmember Reed arrived at 7:30 P. M.

2. **Review of a Special Provisional Use for St. Mary's Church.**

Chris Foy, representing St. Mary's Church, reviewed changes to the Memorandum of Understanding regarding maintenance of 20th Street NW and extension of water and sewer lines for the new parish center on the Anhalt property in northwest Waverly. The major area of concern is the condition of 20th Street NW with the volume of traffic going to and from church and after construction of said facility. City Engineer Cherry informed the

Council that it would cost \$1,500,000 to reconstruct 20th Street NW. The church believes that 20th Street will be an acceptable roadway in its present condition and foresees future residential growth in the area. The Anhalt children intend to develop the rest of their property after the church concludes construction. Mr. Foy informed the Council that the Church conducted an informal traffic count on Cedar Lane due to its similar condition. The church would like to start construction in 2005 with fundraising beginning this year. Discussion followed on routing all construction traffic through Country Meadows and including 20th Street in the West Waverly Traffic Study. St. Mary's would bear the cost of extending water and sewer to their facility but would collect a fee from persons tying into their lines. Council directed staff to meet with church leaders to come to an agreement.

3. **Approve a Traffic Engineering Agreement Between the Waverly Municipal Hospital, Wartburg College and the City of Waverly for the West Waverly Area Traffic Study.**

Moved By: Ribich

Seconded By: Ecker

The Traffic Engineering Agreement between the Waverly Municipal Hospital, Wartburg College and the City of Waverly for the West Waverly Area Traffic Study is hereby approved.

Yes: 7

No: 0

Absent: 0

4. **Approve an Engineering Services Agreement With Yaggy Colby Associates for the West Waverly Area Traffic Study 2003.**

Discussion followed on 20th Street NW included in the Traffic Study and with St. Mary's participating in costs. Staff will contact Yaggy Colby Associates to prepare an addendum to this agreement.

Moved By: Kramer

Seconded By: Ribich

The Engineering Services Agreement with Yaggy Colby Associates for the West Waverly Area Traffic Study 2003 is hereby approved.

Yes: 6

No: 1 (Boorum)

Absent: 0

5. **First Reading of Ordinance 813, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City Known as Stonehaven IV. (B.N.K.D., Inc., Applicants).**

Dennis Happel was present to review said rezoning.

Moved By: Ribich

Seconded By: Reed

First Reading of Ordinance 813, 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-3, Multiple Family Residential District Known as Stonehaven IV. (B.N.K.D., Inc., Applicants) is hereby approved and sets July 7, 2003, at 7:00 P. M. in Council Chambers at City Hall as the date, time and place for a public hearing on said rezoning.

Yes: 7

No: 0

Absent: 0

6. **Approve Preliminary Plat for Copper Ridge Addition.**
The Parks & Recreation Commission accepted a monetary donation in lieu of parkland dedication for the Copper Ridge Addition.

Moved By: Boorum

Seconded By: Ribich

The Preliminary Plat for Copper Ridge Addition is hereby approved.

Yes: 7

No: 0

Absent: 0

7. **Resolution 03-58, A Resolution Awarding Contract for Kohlmann Park Improvements.**

Parks & Recreation Director Ray reviewed the one bid received for the Kohlmann Park Improvements from Rampart Corporation for \$131,562.00. Mr. Ray stated the bid was high but the City could realize a significant cost savings by re-letting the project or award the contract with a change order to slightly scale back the project. Staff will return with change order to scale down the project when the contract comes to Council for approval.

Moved By: Ecker

Seconded By: Steege

Resolution 03-58, a Resolution Awarding Contract for Kohlmann Park Improvements is hereby approved.

Moved By: Boorum

Seconded By: Ecker

To amend the previous motion and award and amend contract with Rampart Corporation to scale back the project to the budget amount of \$115,000 is hereby approved.

The original motion was then voted upon.

Yes: 7

No: 0

Absent: 0

8. **Resolution 03-59, A Resolution Approving a Minor Subdivision Plat for James Gates along Bremer Road in Northeast Waverly.**

Jim Gates and staff informed Council that sewer easement would have to be addressed before the plat is approved. Mr. Gates stated that he was in the process of negotiating a real estate contract with an intended buyer and would have to notify him of the easement before proceeding with the minor subdivision plat approval.

Moved By: Boorum

Seconded By: Steege

Resolution 03-59, a Resolution Approving a Minor Subdivision Plat for James Gates along Bremer Road in Northeast Waverly is hereby approved.

Moved By: Boorum

Seconded By: Steege

To table motion.

Yes: 7

No: 0

Absent: 0

9. **Request from Historical Preservation Commission for Funding to Take Action on the Recommendations of the Planning for Preservation Project to Conduct a Detailed Survey of Identified Areas of Waverly.**

Gary Schulz and Kate Payne were present to review the Historic Preservation's role and the survey process in identifying historic areas of Waverly. The Council approved moving forward dependent on receipt of a 60/40 grant from the State Historical Society.

Moved By: Reed

Seconded By: Kramer

Approve the request in concept dependent on receiving a 60/40 grant from the State Historical Society is hereby approved. The 40% match can be matched with soft money (i.e. volunteer time). This would delay the start of the survey until 2004. Total cost of survey is \$11,150 with a local match of \$4,500.

Yes: 7

No: 0

Absent: 0

10. **Third Reading of Ordinance 809, An Ordinance Amending the Zoning Ordinance of Waverly, Iowa, Providing for Rezoning of Certain Area of Said City (Joel Lindaman, Applicant).**

Moved By: Kramer

Seconded By: Boorum

Third Reading of Ordinance 809, 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 Residence District (Joel Lindaman, Applicant) is hereby approved.

Yes: 7

No: 0

Absent: 0

11. **Second Reading of Ordinance 812, An Ordinance Amending Section 105.3.1 of the Waverly Municipal City Code Regarding Speed Restrictions.**

Discussion followed on speed limits on 8th Street SE and 10th Avenue SW.

Moved By: Ribich

Seconded By: Ecker

Second Reading of Ordinance 812, An Ordinance Amending Section 105.3.1 of the Waverly Municipal City Code Regarding Speed Restrictions is hereby approved.

Yes: 7

No: 0

Absent: 0

12. **Approval of May Cash Disbursements.**

Moved By: Ecker

Seconded By: Ribich

The May Cash Disbursements 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 9:16 p.m.

Mayor

ATTEST:

City Clerk